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Sup. Ct.

Vol. VIII

TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1940

No. 14

REPUBLIC STEEL CORPORATION, PETITIONER,

vs.

NATIONAL LABOR RELATIONS BOARD AND STEEL WORKERS ORGANIZING COMMITTEE

ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE THIRD CIRCUIT

PETITION FOR CERTIORARI FILED FEBRUARY 7, 1940.

CERTIORARI GRANTED MAY 20, 1940.

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Volume VIII

Board's Exhibits Continued

	Offered	*Printed*
111—Standard Statistics Bulletin of June 7, 1937 as to Republic Steel Corp.	2884	5893
113—Copy of Telegram from John L. Smith to Secretary Perkins	3182	5904
115—Plan of Employee Representation, Youngstown, By-laws March, 1937	4612	5906
127—Supplementary Charge, Canton	5151	5916

Respondent's Exhibits

	Offered	*Printed*
2—Journal Entry, Stark County Injunction Order	1335	5920
4—Photograph of guns and clubs	2334	5923
5—Photograph of guns and clubs	2334	5924
7—Copy of proclamation of Sheriff Nist of June 25, 1937	3602	5925
8—Photograph of weapons (This exhibit has been lost or destroyed. See Stipulation printed in lieu thereof)	Not Offered	5928
Photograph of original print of above exhibit		5928½
11—Nomination ballot in plan for employee representation, Massillon plant	3957	5929
12—Election ballot for employee representation, Massillon plant	3959	5930
13—Notice of election under employee representation plan, Massillon plant	3962	5931
14—Blank form for recording case presented to employee representatives	3966	5933

	Offered	*Printed*
15—Canton Back To Work Petition	4019	5934
16—Letter, 5-31-1937, Canton Chamber of Commerce, in re: vote on back-to-work movement	4059	6004
17—Report of election committee on back-to-work movement, Canton, Ohio, 6-7-37	4096	6005
18—Card distributed to Republic Steel Workers by C. I. O. (dropped by airplane)	4147	6006
20—Election ballot employee representatives, Canton plant	4301	6007
21—Notice of election of employee representatives, Canton plant	4301	6008
22—Application card, for membership in Steel Workers Union of America	4316	6010
23—Constitution of and By-laws of Independent Federation of Republic Employees, Youngstown	4488	6011
24—Membership card of Independent Federation of Republic Employees, Youngstown	4489	6038
28—Nomination ballot for employee representatives, Youngstown plant	4573	6039
29—Election ballot for employee representatives, Youngstown plant	4577	6039
32—Notice of election for employee representatives, Youngstown plant	4579	6040
37—Article printed in "Warren Tribune Chronicle," 6-11-37	4684	6043
38-A—Records of Municipal Court of City of Youngstown	4705	6049
38-B—Records of Municipal Court of City of Youngstown	4705	6051
39-A—Records of Municipal Court of City of Youngstown	4705	6052
39-B—Records of Municipal Court of City of Youngstown	4705	6053
41—Employment record of Charles Neverdusky	4941	6054

	Offered	*Printed*
43—Notice of election of employee representatives, Warren plant	5060	6057
44—Notice of nominated candidates for employee representatives, Warren plant	5065	6058
45—Nomination ballot for employee representatives, Warren plant	5064	6059
46—Election ballot for employee representatives, Warren plant	5066	6060
47—Republic "Plan of Employee Representation"—By-laws as amended May 1934	5070	6061
48—Notice of results of election for employee representatives, Warren plant	5071	6071
50—Offer to Prove Violence, Youngstown, Warren, Niles	5082	6072
51—Notice in re: nomination and election of employee representatives, Corrigan, McKinney plant	5087	6135
52—Notice of first elections, Corrigan, McKinney Division	5088	6138
53—Classification of voting districts, Corrigan, McKinney plant	5090	6140
54—Nomination ballot for employee representatives, Cleveland District	5091	6141
56—Election ballot for employee representatives, Cleveland District	5094	6143
57—Certificate of election, Corrigan, McKinney, 1936	5095	6144
58—Blank form for presenting complaint to management representative, Cleveland District	5121	6145
59—Telegram, 5-3-37, Clinton S. Golden to Tom Girdler	5131	6146
60—Telegram, 5-5-37, J. A. Voss to Clinton S. Golden	5131	6147
61—Telegram, 5-6-37, Clinton S. Golden to J. A. Voss	5131	6148
62—Letter, 3-30-37, Clinton S. Golden to Republic Steel Corp., Attention T. M.		

		Offered	*Printed*
	Girdler	5132	6149
63	Proposed contract between Republic Steel Corp. and S.W.O.C.	5132	6151
64	Offer to Prove, Cleveland District	Not Offered	6157

XLI. Certificate of the National Labor Relations Board 6222

XLII. Supplemental Certificate of the National Labor Relations Board 6226

Respondent's Exhibit No. 65—Certified Copy of Governor's Proclamation 6227

Respondent's Exhibit No. 66—Certified Copy of letter to General Marx from Governor Davey 6228

XLIII. List of Exhibits which National Labor Relations Board Desires To Have Included in Printed Record 6230

XLIV. List of Exhibits which the Petitioner Desires To Have Included in Printed Record in Addition to Those Requested To Be Printed by the National Labor Relations Board 6237

Petition by Republic Steel Corporation, Petitioner, for Leave to Adduce Additional Evidence 6241
Memorandum 6267
Petition of the Central Council of Steel Plants, Northern District of Republic Steel Corporation, for Leave to Adduce Additional Evidence 6270
Reference to Argument 6273
Stipulation as to Record in No. 6764 6273
Stipulation as to Exhibits Not in Printed Record 6275
Reference to Argument 6276
Opinion, Filed November 8, 1939 6277
Order Denying Petition of Central Council, etc., Northern District, etc., for Leave to Adduce Additional Evidence 6293
Order Denying Petition of Republic Steel Corporation for Leave to Adduce Additional Evidence 6293
Decree 6294
Clerk's Certificate 6300
Order Allowing Certiorari 6301

BOARD'S EXHIBIT NO. 110 (Continued)

DEPRECIATION AND DEPLETION POLICY

Republic Steel Corp. and its consolidated subsidiaries maintain a consistent policy of making annual provision for depreciation of their properties, regardless of operations or earnings, at composite rates calculated to amortize the ledger values of such properties on the average over their expected lives. Provisions since 1930 for the various plants have been substantially the same as provisions claimed for Federal income tax purposes. For the years 1930, 1931 and 1932, the depreciation taken amounted to 2.8%, 2.7% and 2.7% respectively, and in subsequent years, 2.8%, of depreciable assets per annum.

Exhaustion and/or depletion of ore and coal properties and related equipment is provided for at tonnage rates applied to ore and coal production. The rates applied to ore and coal properties originally acquired have been in use for many years and not exact statement is available as to the basis upon which these rates were originally established. The rates as to the other ore and coal properties are estimated to write off the investment over the remaining life of the properties.

Gulf States Steel Co.'s policy was to charge depreciation at the composite rate of 3.3% of the total property, plant and equipment, exclusive of land and development. The corresponding composite rate taken for Federal income tax purposes was 4%. Policy with respect to provision for depletion has been to set up a provision of five cents and twenty cents a ton, respectively on coal and ore mined during each year.

6¾-YEAR ANALYSIS OF CONSOLIDATED INCOME ACCOUNT

(Years Ended Dec. 31.)

(Republic Steel Corp. and Subsidiaries, including in 1936, Truscon Steel Co. and The N. & G. Taylor Co. for entire year.)

(Based on "Comparative Consolidated Income Account"—See Table Following.)

	Net Sales $	Oper. Income $	Total Income $	Deprec. & Depl. $	Other Deduct. Than Fxd. Chgs. $	*Avail. for Fxd. Chgs. $	Fixed Charges $	Times Ernd.
1936	b218,317,399	28,518,248	29,774,914	10,130,485	4,100,993	15,546,636	5,009,137	3.10
e1935	(b)136,164,554	17,205,434	18,081,698	8,230,200	1,748,045	8,145,244	3,677,927	2.21
1934	96,824,857	8,290,660	9,013,637	7,839,465	1,250,930	d169,531	3,382,670	d0.05
1933	79,807,199	7,357,880	8,688,814	7,610,502	1,676,134	d1,133,293	3,451,432	d0.33
1932	47,604,636	d629,586	1,170,193	7,510,832	1,260,881	d8,847,826	3,659,675	d2.42
1931	(a)	3,020,545	4,574,746	7,636,406	2,011,034	d5,350,558	3,909,069	d1.37
†1930	(a)	3,366,135	4,792,515	5,899,989	852,452	d1,959,926	2,961,265	d0.66

	Net Income $	—Prior Preference Stock— Dividends Paid $	Paid Per Share $	Earned Per Share $	————Preferred Stock———— Dividends Paid $	Paid Per Share $	Earned Per Share $
1936	(c)§9,641,137	2,874,113	10.50	§33.96	1,435,164	12.00	§66.00
1935	(c)4,455,735	513,530	1.50	16.59	.....	....	19.71
1934	d3,459,428	.....	....	....	.....	....	d5.81
1933	d4,049,254	.....	....	....	.....	....	d6.80
1932	d11,261,195	.....	....	....	.....	....	d18.91
1931	‡d8,981,763	.....	....	....	.....	....	‡d15.08
†1930	d4,921,191	.....	....	....	1,749,092	3.00	d8.26

Board's Exhibit No. 110

5849

	*Fxd. Chgs. and Pfd. Dividend Require. Times Earned	——Common Stock—— Dividends Paid $	Paid Per Shr. $	Earned Per Shr. $	Surplus After Divs. $
1936	2.10	.....	....	§1.74	5,277,645
1935	1.32	.....	....	0.49	3,942,205
1934	d0.02	.....	....	d3.43	d3,459,428
1933	d0.16	.....	....	d3.83	d4,049,254
1932	d1.22	.....	....	d7.58	d11,261,195
1931	d0.73	.....	....	‡d6.43	d9,034,153
†1930	d0.35	2,443,796	1.24	d3.85	d9,114,079

*Not including discount on bonds purchased for retirement and discount on stock purchased for retirement, and before deducting surtax on undistributed profits in 1936.

†For nine months ended Dec. 31, 1930.

‡Before allowing for adjustment of net current assets of foreign subsidiary to current rate of exchange. Deducting this item, share losses would have been $15.17 on preferred and $6.45 on common.

R 5—15

§After provision for Federal surtax on undistributed profits of $950,000. Before this tax net income amounted to $10,536,922, equal to $37.32 on prior preference, $73.94 on preferred and $1.97 per common share.

(a) Not reported.

(b) Includes operating revenue of a non-manufacturing subsidiary.

(c) After minority interest.

d Deficit.

(e) Includes operations of the Corrigan, McKinney Steel Co. and its subsidiaries, from Sept. 25, 1935; but does not include operations of Truscon Steel Co. acquired during 1935.

Note—Corporation's share of undistributed net earnings of unconsolidated subsidiaries not taken in statement above amounted to $520,551 for year 1936.

12-YEAR ANALYSIS OF INCOME ACCOUNT, YEARS ENDED DEC. 31

Gulf States Steel Co.

Note—Due to the form of statement required by the Securities and Exchange Commission, adjusted figures for 1933 have been reported for comparative purposes.

	Net Sales	Operating Income After Depreciation	Available for Fixed Charges	Fixed Charges	Times Earned	Net Income
	$	$	$	$		$
1936	12,778,373	1,031,926	968,740	308,628	3.14	660,112
1935	8,801,795	410,007	427,097	285,828	1.49	141,269
1934	6,709,037	208,042	243,976	302,015	0.81	d58,039
1933	7,570,438	474,354	534,128	341,087	1.57	193,041

	Gross Income	Gross Profits	Deductions Other Than Fxd. Chgs.	Avail. for Fxd. Chgs.	Fixed Charges	Times Earned	Net Income
	$	$	$	$	$		$
1932	4,919,354	461,922	780,000	d318,078	319,291	d1.00	d367,369
(b) 1931	7,811,169	73,582	780,000	d706,418	317,692	d2.22	d1,024,110
1930	8,296,053	110,098	600,000	d489,902	325,443	d1.51	d815,335
1929	11,164,950	2,322,502	783,724	1,538,779	228,477	6.73	1,310,302
1928	9,494,022	1,727,565	572,642	1,154,923	230,177	5.02	924,746
1927	9,733,395	1,460,359	578,752	881,607	125,204	7.04	756,403
1926	9,597,132	1,244,762	444,969	799,793			799,793
1925	10,417,965	1,571,441	534,663	1,036,778			1,036,778

Board's Exhibit No. 110

	—First Preferred Stock—			—Common Stock—			Surplus
	Dividends Declared	Earned Per. Shr.	Declared Per Shr.	Cash Dividends Declared	Earned Per Shr.	Declared Per Shr. (Cash)	After Cash Dividends
	$	$	$	$	$	$	$
1936	735,363	33.01	36.77		1.76		d75,251
1935	70,000	7.06	3.50		0.01		71,269
1934		d2.90			d1.00		d58,039
1933		9.65			0.27		193,041
1932		d31.87			d3.94		d637,369
(b) 1931	35,000	d51.21	1.75		d5.89		d1,059,110
1930	140,000	d40.77	7.00	395,000	d4.84	2.00	d1,350,335
1929	140,000	65.52	7.00	705,196	5.93	†4.00	(a)478,180
1928	140,000	46.24	7.00	125,000	6.28	1.00	659,746
1927	140,000	37.82	7.00	312,500	4.93	2.50	303,903
1926	140,000	39.99	7.00	625,000	5.28	5.00	34,793
1925	140,000	51.84	7.00	‡625,000	7.17	‡5.00	271,778

†Includes $2 paid on new no par stock, which was exchanged for old $100 par stock Feb. 25, 1929, on share for share basis.

‡Not including stock dividend of $1,289,230 (11½%).

(a) After crediting $13,074 dividends on fractional shares returned to treasury.

(b) Restated by company to comply with New York Stock Exchange forms. The profit on debentures retired by sinking fund, now shown as a surplus addition, was included in gross income in report for 1931

d Deficit

COMPARATIVE CONSOLIDATED INCOME ACCOUNT

(Republic Steel Corp. and Subsidiaries, including in 1936, Truscon Steel Co. and The N. & G. Taylor Co. for entire year.)

	Years Ended Dec. 31						9 mos. End.
	1936	(b)1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Net sales	†218,317,399	†136,164,554	96,824,857	79,807,199	47,604,636	§	§
Cost of sales	158,532,483	99,315,887	72,382,202	60,347,155	39,279,214	§	§
Plt. rep. and maint.	18,087,751	11,605,765	9,139,901	6,225,918	3,015,440	6,594,588	§
Gross prof. fr. oper. aft. cost of sales	41,697,165	25,242,902	15,302,754	13,234,126	5,309,982	11,078,381	10,706,856
Selling gen. and gen. adm. exps.	13,178,917	8,037,468	7,012,094	5,876,246	5,939,568	8,057,836	7,340,721
Operating income	28,518,248	17,205,434	8,290,660	7,357,880	d629,586	3,020,545	3,366,135

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Invest. and oth. inc.	1,259,866	918,056	630,204	795,463	553,473	1,276,337	1,426,380
Disc. on bonds purch. for retire		d52,648	59,602	473,246	1,084,717	277,864	
Disc. on stock purch. for retire	d3,200	10,856	33,171	62,225	161,589		
Total income	29,774,914	18,081,698	9,013,637	8,688,814	1,170,193	4,574,746	4,792,515
Deprec. and depl.	10,130,485	8,230,200	7,839,465	7,610,502	7,510,832	7,636,406	5,899,989
Int. on indebted.	4,815,583	3,421,778	3,120,001	3,181,039	3,368,324	3,609,069	2,736,265
Spec. prov. for doubt. accts.	501,505	339,263	532,302)		(	450,000	
Provis. for poss. loss on certain invests.			)	1,066,978	628,097(	300,000	

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Other deductions	1,066,988	704,619)					
Amort. of bd. disc. and expenses	139,339	) 24,056)	718,628	609,156	632,784	1,261,034	852,452
Prov. for Fed. inc. tax	2,050,000	) 704,163)					
Prov. for gen. conting.	482,500	.....	.....	.....	.....	.....	.....
Prov. for Fed. surtax on undist. profits	950,000	.....	.....	.....	.....	.....	.....
Minority interest	(cr.) 2,623	(cr.) 30,210	.....	.....	.....	.....	.....
Total deductions	20,133,777	13,393,869	12,210,396	12,467,675	12,140,037	13,256,509	9,488,706
Net loss before subs. gtd. divs.	9,541,137	4,687,829	3,196,759	3,778,861	10,969,844	8,681,763	4,696,191

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Pfd. divs. gtd. stock Trumbull-Cliffs Furnace Co.	54,215	232,094	262,669	270,393	291,351	300,000	225,000
Net income (before adjust. of net cur. assets of foreign subs. to cur. rate of exch.)	*9,586,922	4,455,735	d3,459,428	d4,049,254	d11,261,195	d8,981,763	d4,921,191
Adjust. of net current assets of for. subs. to cur. rate of exch.	.....	.....	.....	.....	.....	52,390	.....
Balance	9,586,922	4,455,735	d3,459,428	d4,049,254	d11,261,195	d9,034,153	d4,921,191

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Prior pref. divs.	2,874,113	513,530	.....	.....	.....	.....	.....
Pfd. dividends	1,435,164	.....	.....	.....	.....	.....	1,749,092
Com. dividends	.....	.....	.....	.....	.....	.....	2,443,796
Surp. after divs.	5,277,645	3,942,205	d3,459,428	d4,049,254	d1,261,195	d9,034,153	d9,114,079
Prev. P. & L. surp.	d1,698,662	d5,456,185	d2,013,921	1,872,948	11,873,774	22,214,177	‡31,674,295
Total surplus	3,578,983	d1,513,980	d5,473,349	d2,176,306	612,579	13,180,024	22,560,216
Adj. of res. for pos. add. Fed. tax (cr.)	.....	.....	.....	52,876	1,302,869	.....	.....
Res. prov. to reduce notes rec. to indic. mkt. of c.d. secur., less adj. due to div. rec. on stocks, etc.	(Cr.)200,000	(cr.)72,078	(cr.)17,164	(cr.)109,509	42,500	1,306,250	.....

Board's Exhibit No. 110

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
Prem. on ref. and general mtge. 5½% bonds called for retirement		256,760					
Predecessor constituent company's dividends: Pfd. divs.							16,761
Common divs.							482,978
Prem. on bds., incl. certain assumed obligations of corp., and on bonds, debs. and guar. pfd. stock of certain consoli.							

	Years Ended Dec. 31						9 mos. End.
	1936	(b) 1935	1934	1933	1932	1931	Dec. 31, '30
	$	$	$	$	$	$	$
subs. called for redemption	1,085,770						
Sundry adj. pred. cos.							(cr.) 116,418
Minor subs. surplus consolidated	(Cr.) 16,557						(cr.) 37,282
P. & L. surplus	2,709,770	d1,698,662	d5,456,185	d2,013,921	1,872,948	11,873,774	22,214,177
Indicated Earnings Per Share							
On prior pref. stock outstdg.	*33.96	16.59					
On pfd. stk. outstdg.	*66.00	19.71	d$5.81	d$6.80	d$18.91	(a) d$15.03	d$8.26
On com. stock outstg.	*1.74	0.49	d3.43	d3.83	d7.58	(a) d6.43	d3.85

R 5—17

*After provision for Federal surtax on undistributed profits of $950,000. Before this tax net income amounted to $10,536,922, equal to $37.32 on prior preference, $73.94 on preferred and $1.97 per common share.

†Includes operating revenue of a non-manufacturing subsidiary.

‡Initial surplus of constituent companies as of March 31, 1930.

§Not reported.

(a) Before allowing for adjustment of net current assets of foreign subsidiary to current rate of exchange. Deducting this item, share losses would have been $15.17 on preferred and $6.45 on common.

(b) Includes operations of The Corrigan, McKinney Steel Co. and its subsidiaries from Sept. 25, 1935, but does not include operations of Truscon Steel Co. acquired during 1935.

d Deficit.

Note—Corporation's share of undistributed net earnings of unconsolidated subsidiaries not taken up in statement above, amounted to $520,551 for year 1936.

COMPARATIVE CONSOLIDATED QUARTERLY EARNINGS

(Republic Steel Corp. and Subsidiaries)

Quarters Ended:	Inc. Before Deprec. & Fxd. Chgs.	Depreciation and Depletion	(c)Fixed Charges	Net Income	–*Earned Per Share– Prior Pfd.	Pfd.	Com.
March 31:	$	$	$	$	$	$	$
1936	(b)4,163,448	2,397,148	1,405,268	361,032	1.34	d0.29	d0.06
1935	(b)4,623,913	1,976,415	813,263	1,834,235	....	3.08	0.46
1934	2,769,119	1,966,655	861,146	d58,682	....	d0.10	d0.48
1933	220,829	1,866,195	876,203	d2,521,569	....	d4.23	d1.75
1932	350,978	1,878,462	948,808	d2,476,292	....	d4.16	d1.72
1931	1,277,302	1,976,571	993,324	d1,692,593	....	d2.84	d1.31
June 30:							
1936	(b)6,436,800	2,507,944	1,267,794	2,661,062	9.91	15.65	0.50
1935	(b)3,680,388	1,966,668	791,390	922,329	....	1.55	0.01
1934	(b)3,699,118	1,978,880	856,113	864,125	....	1.45	d0.01
1933	2,379,369	1,924,238	862,582	d407,450	....	d0.68	d0.66
1932	34,474	1,858,206	921,094	d2,744,826	....	d4.61	d1.86

Quarters Ended:	Inc. Before Deprec. & Fxd. Chgs.	Depreciation and Depletion	(c)Fixed Charges	Net Income	–*Earned Per Share– Prior Pfd.	Pfd.	Com.
	$	$	$	$	$	$	$
1931	1,803,983	1,916,942	979,346	d1,092,305	....	d1.83	d1.00
1930	(b)3,065,449	1,893,984	960,993	210,472	....	0.35	d0.35
September 30:							
1936	(b)6,951,842	2,599,580	1,040,707	3,311,555	11.79	23.97	0.66
1935	(b)3,262,093	1,952,077	802,285	507,731	....	0.85	d0.19
1934	(b)d234,092	1,926,701	837,807	d2,998,600	....	d5.03	d1.91
1933	2,922,529	1,930,730	843,560	148,239	....	0.25	d0.38
1932	d666,410	1,845,172	907,772	d3,419,354	....	d5.74	d2.21
1931	130,799	1,886,709	972,167	d2,728,077	....	d4.58	d1.83
1930	988,492	1,875,492	928,509	d1,815,509	....	d3.03	d1.37
†December 31:							
1936-35	See Note						
1934	1,528,562	1,967,229	827,604	d1,266,271	....	d2.13	d1.05
1933	1,489,953	1,889,338	869,087	d1,268,472	....	d2.13	d1.09

Board's Exhibit No. 110

5865

Quarters Ended:	Inc. Before Deprec. & Fxd. Chgs. $	Depreciation and Depletion $	(c) Fixed Charges $	Net Income $	—*Earned Per Share— Prior Pfd. $	Pfd. $	Com. $
1932	28,681	1,928,992	720,412	d2,620,723		d4.40	d1.79
1931	d648,372	1,856,184	964,232	‡d3,468,788		d5.82	d2.23
1930	d113,878	2,130,513	1,071,763	d3,316,154		d5.56	d2.13

*Based on shares as follows:

Quarters Ended March 31:	Shares Prior Preferred	Shares $6 Preferred	Shares Common
1936	268,621	144,276	4,046,767
1935		595,608	2,047,803
1934		595,608	1,992,064
1933		595,608	1,956,981
1932		595,609	1,953,920
1931		595,609	1,974,540

Quarters Ended June 30:	Shares Prior Preferred	Shares $6 Preferred	Shares Common
1936	268,621	144,276	4,046,767
1935		595,608	2,047,803
1934		595,608	2,037,803
1933		595,608	1,956,981
1932		595,609	1,953,920
1931		595,609	1,974,683
1930		600,000	1,975,723

Quarters Ended Sept. 30:	Shares Prior Preferred	Shares $6 Preferred	Shares Common
1936	280,995	120,592	4,112,758
1935		595,608	2,047,803
1934		595,608	2,037,803
1933		595,608	1,956,981
1932		595,609	1,953,920
1931		595,609	1,974,683
1930		600,000	1,975,209

Quarters Ended Dec. 31:	Shares Prior Preferred	Shares $6 Preferred	Shares Common
1936-35	See Note		
1934		595,608	2,047,803
1933		595,608	1,992,064
1932		595,609	1,953,920
1931		595,608	1,953,920
1930		595,609	1,974,540

†Arrived at by deducting 9 months from annual income amount. In 1930, by deducting 6 months from 9 months statement.

‡Before $52,390 adjustment of net current assets of foreign subsidiary to current rate of exchange.

(b) After provision for Federal income tax, and in 1936, Federal surtax and adjustment for minority interest.

(c) Including guaranteed preferred dividends of Trumbull-Cliffs Furnace Co.

d Deficit.

Note—Not comparable because of year end changes.

COMPARATIVE QUARTERLY EARNINGS

Gulf States Steel Co.

Quarters Ended	Net Oper. Income	Taxes Dep., Etc.	Net Income	Indicated Earns. Per Share 1st. Pfd.	Com.	No. of Shares Pfd.	Com
March 31:							
1936	387,927	290,998	96,929	4.85	0.31	20,000	197,500
1935	309,769	279,620	30,149	1.51	d0.02	20,000	197,500
1934	266,320	276,133	d9,813	d0.49	d0.23	20,000	197,500
1933	180,048	273,529	d93,481	d4.67	d0.65	20,000	197,500
1932	132,390	276,586	d144,196	d7.21	d0.91	20,000	197,500
1931	62,977	280,017	d217,042	d10.85	d1.28	20,000	197,500
1930	316,025	221,123	94,902	4.75	0.30	20,000	197,500
June 30:							
1936	403,153	292,608	110,545	5.53	0.38	20,000	197,500
1935	201,193	267,855	d66,662	d3.33	d0.51	20,000	197,500
1934	515,899	314,283	201,616	10.08	0.84	20,000	197,500
1933	252,979	271,625	d18,646	d0.93	d0.27	20,000	197,500
1932	58,694	274,150	d215,456	d10.77	d1.27	20,000	197,500
1931	d26,624	277,020	d303,640	d15.18	d1.71	20,000	197,500
1930	128,354	226,793	d98,439	d4.92	d0.68	20,000	197,500

Board's Exhibit No. 110

5869

	Net Oper. Income	Taxes Dep., Etc.	Net Income	Indicated Earns. Per Share 1st. Pfd.	Com.	No. of Shares Pfd.	Com
Sept. 30:							
1936	516,477	315,163	201,314	10.07	0.84	20,000	197,500
1935	337,915	279,482	58,433	2.92	0.12	20,000	197,500
1934	30,982	236,356	d205,374	d10.27	d1.22	20,000	197,500
1933	455,212	288,542	166,670	8.33	0.67	20,000	197,500
1932	162,674	275,100	d112,426	d5.62	d0.75	20,000	197,500
1931	16,197	278,733	d262,536	d13.13	d1.51	20,000	197,500
1930	42,726	240,477	d197,751	d9.89	d1.18	20,000	197,500
†Dec. 31:							
1936	569,880	318,556	251,324	12.57	0.73	20,000	296,069
1935	381,231	261,882	119,349	5.97	0.43	20,000	197,500
1934	229,098	273,566	d44,468	d2.22	d0.40	20,000	197,500
1933	415,375	276,877	138,498	6.92	0.52	20,000	197,500
1932	108,164	273,455	d165,291	d8.27	d1.01	20,000	197,500
1931	68,912	261,920	d193,008	d9.65	d1.15	20,000	197,500
1930	d377,008	237,038	d614,046	d30.70	d3.29	20,000	197,500

†Obtained by deducting 9 months totals from annual income account.

d Deficit.

COMPARATIVE CONSOLIDATED BALANCE SHEET—WORKING CAPITAL

(As of December 31.)

(Republic Steel Corp. and Subsidiaries)

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
Prop., plt. and eqp.	360,016,123	346,429,503	305,117,237	307,025,927	309,694,695	314,423,321	313,907,838
Less: Res. for depr.			(97,667,235	92,032,736	87,095,919	83,719,468	77,186,158
Res. for exhaust. of minerals and mining equipment	154,855,834	145,054,655	((7,593,303	7,200,588	7,399,542	6,880,252	6,701,492
Prop., plant, etc. (net)	205,160,289	201,374,838	199,856,699	207,792,603	215,199,234	223,823,601	230,020,188
†Mktble. secs. of subs. (cost)	a9,316,268	(a)6,293,603	7,945,143	7,064,863	6,780,079	6,518,996	6,518,996

Board's Exhibit No. 110

5871

	1936	1935	1934	1933	1932	1931	1930
	$	$	$	$	$	$	$
Sink. fund deposits	1,268,138	612,622	478,456				
Spec. depos. (cash dep. with corp. trustee, subject to withdrawal by corp. for cap. expenditures as specified in general mortgage)	23,087,200						
Invest. and advs. affil. cos.	1,986,917	9,177,777	7,323,632	7,616,299	7,998,650	7,812,904	7,753,534
Oth. invests., rec., etc. (less res.)	4,730,308	4,552,417	2,547,233	2,867,657	3,069,710	3,412,660	3,875,966
Notes receiv. of subs.				‡210,759	‡101,250	‡143,750	1,500,000

Assets—	1936	1935	1934	1933	1932	1931	1930
	$	$	$	$	$	$	$
Deferred charges	1,221,548	1,142,839	1,078,550	1,285,630	1,450,054	1,612,114	1,575,022
Unamort. bond disc. and exp.	3,655,366	1,058,461	.....	.....	.....	.....	.....
Current Assets—							
Cash	13,350,301	15,972,282	5,305,057	4,509,009	7,239,521	7,499,745	6,917,684
Ctfs. of deposit	.....	800,000	1,200,000	1,200,000	1,200,000	1,200,000	1,710,000
Notes and accts rec. (less res.)	22,158,016	12,600,546	7,771,808	9,772,973	5,534,052	8,454,005	9,633,120
Inven. (lower cost or market —less res. for inter-co. prof.)	58,015,322	43,890,494	28,980,853	25,955,359	21,595,782	30,143,450	38,996,973
Total current assets	93,523,639	73,263,322	43,257,718	41,437,341	35,569,355	47,297,200	57,257,777
Total assets—	343,949,673	297,475,879	262,487,431	268,275,152	570,168,332	290,621,225	308,501,483

Board's Exhibit No. 110

Assets—	1936	1935	1934	1933	1932	1931	1930
	$	$	$	$	$	$	$
Liabilities—							
Prior pfd. stock	28,230,350	26,862,150	.....	.....	.....	.....	.....
Pfd. stock	11,959,700	14,427,600	59,560,800	59,560,800	59,560,800	59,560,800	59,560,900
Com. stock ...	93,995,228	92,324,312	92,058,968	91,289,344	91,289,344	91,289,344	91,289,344
Minority int. ..	718,153	544,507	.....	.....	.....	.....	.....
6% pfd. stk. Trumbull-Cliffs Furnace Co. (gtd.)	.....	3,776,400	4,163,500	4,439,100	4,615,300	5,000,000	5,000,000
Funded debt ..	108,295,000	68,901,501	35,307,500	38,685,800	40,053,900	42,734,200	44,978,300
Subsid. funded debt	2,679,148	9,316,748	9,635,700	10,133,050	10,671,350	11,096,450	11,586,100
Res. coordination plant facilities	616,041	645,809	5,473,980	6,752,208	7,259,058	8,152,966	8,491,567
Res. relining and rebldg. furnaces, ovens and oth. oper res.	10,067,828	7,766,633	4,446,500	3,925,272	3,900,732	4,112,526	3,733,218

Assets—	1936	1935	1934	1933	1932	1931	1930
	$	$	$	$	$	$	$
Res. conting., etc.			359,502	392,291	599,137	1,748,101	1,798,100
Res. for insur.	2,371,108	1,965,048	1,508,547	1,399,011	1,388,242	1,562,945	1,691,087
Reserve for mfg. plant dismantled						1,080,000	1,080,000
Capital surplus	61,590,193	61,681,123	41,407,708	41,340,238	40,825,791	40,803,989	41,211,695
P. & L. surplus	2,709,770	d1,698,662	d5,456,186	d2,013,921	1,872,948	11,873,774	22,214,177
Current liabilities—							
Notes payable			4,500,000	5,200,000	3,000,000	3,000,000	3,500,000
Notes pay. of sub. (secured)			1,100,000	1,320,000	1,762,000	3,200,000	3,820,000
Accts. pay., etc.	13,279,981	6,948,564	4,216,563	4,135,628	1,494,329	3,003,830	5,780,919
Current matur. —funded debt			2,510,500				
Dividends payable		513,530					
Accrued taxes and int.	7,437,173	3,500,616	1,423,749	1,716,331	1,875,401	2,402,300	2,776,076

Board's Exhibit No. 110

5875

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
Total curr. liabils.	20,717,154	10,962,710	13,750,812	12,371,959	8,131,730	11,606,130	15,876,995
Total liabils.	343,949,673	297,475,879	262,487,431	268,275,152	270,168,332	290,621,225	308,501,483
*Net working capital	72,806,485	62,300,612	29,506,906	29,065,382	27,437,625	35,691,070	41,380,782

*Based on statement of current assets and current liabilities as above.

†Market value at Dec. 31, 1936, was $6,150,360 as stated value of $3,260,754; 1935 was $1,733,895 at cost of $1,762,920; 1934 was $5,573,595; 1933, $,3,777,228; 1932, $1,156,790; 1931, $1,712,756 and 1930, $4,833,244.

‡Less reserve to reduce to market value of collateral.

(a) Securities of associated companies and sundry investments.

d Deficit.

Notes on Dec. 31, 1936, Balance Sheet— Following securities and notes owned by the companies were pledged or deposited with others: (1) Securities of unconsolidated sub-

sidiaries, $1,700,000; (2) investments in associated companies and other investments, $2,597,066; (3) Securities of consolidated subsidiaries (eliminated in consolidated balance sheet) with a carrying value of $30,904,108; notes of consolidated subsidiaries (eliminated in consolidated balance sheet) with a carrying value of $30,904,108; (4) notes of consolidated subsidiaries (eliminated in consolidated balance sheet) with a carrying value of $8,123,725.

Contingent Liabilities—Dec. 31, 1936 (exclusive of contingent liabilities in respect of obligation of subsidiaries which are shown herein as direct obligations):

(1) Agreement to furnish 50% of funds in payment of principal at 102½% and interest on gold bonds of Rogers Brown Iron Co., assumed by Susquehanna Ore Co., Contingent liability on principal, $324,925; (2) miscellaneous, $112,690.

Accumulated Unpaid Preferred Dividends, in arrears amounted to $3,049,724 or $25.50 per share, at Dec. 31, 1936.

R 5—20

EQUITIES FOR STOCK AS OF DECEMBER 31

	1936	1935	1934	1933	1932	1931	1930
No. of no par com. shs. outstdg.	4,127,264	4,046,767	2,047,803	1,992,064	1,956,981	1,953,920	1,974,540
*Indicated total book val. applic. to common stock	$156,850,815	$147,099,053	$111,959,585	$117,112,681	$122,311,466	$136,256,752	$153,817,139
Book val. per shr. of com. stock	$38.00	$36.35	$54.67	$58.79	$62.50	$69.74	$77.90

*Including reserve for insurance but excluding unamortized bond discount and expense in 1936 and 1935; difference between cost and market value of marketable securities and after allowing for accumulated unpaid preferred dividends. Accumulated preferred dividends amounted to $3,049,724 ($25.50 per share) on Dec. 31, 1936; $4,544,694 ($31.50 per share) and on prior preference, $1,540,588 ($4.50 per share) on Dec. 31, 1935; $15,188,004 ($25.50 per share) at Dec. 31, 1934; $11,614,356 ($19.50 per share) in 1933; $8,040,708 ($13.50 a share) in 1932; $4,467,060 ($7.50 a share) in 1931, and $893,415 ($1.50 a share) in 1930.

COMPARATIVE BALANCE SHEET—WORKING CAPITAL, DEC 31

Gulf States Steel Co.

	1936	1935	1934	1933	1932	1931	1930
Assets—							
Works and props. at beginning of year	29,967,278	29,717,629	29,600,326	29,413,226	29,403,531	29,028,793	23,453,913
Additions during year				16,830	9,695	374,739	6,373,402
Tot. works & props.	29,967,278	29,717,629	29,600,326	29,430,056	29,413,226	29,403,532	29,827,315
Est. cost of property dismantled, charged against res. for dep.							798,522
Res. for deprec. and ex-							

Board's Exhibit No. 110

5879

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
tinguish-ments	7,675,818	6,895,389	6,120,562	5,360,658	4,592,301	3,804,500	3,049,415
Wks. & props. (net)	22,291,460	22,822,240	23,479,764	24,069,398	24,820,925	25,599,023	25,979,378
Cash deposit-ed with City Bank Farm-ers Trust Co., as trus.	1,500,000	.....	.....	.....	.....	.....	.....
Cash deposit-ed with City Bank Farm-ers Trust Co., as trus-tee for re-demption of 1st pfd. stk. on Jan. 2, 1937 (contra) .	(a)2,585,381	.....	.....	.....	.....	.....	.....

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
Invest. in Gulf States Steel Co. com. stock (363 shares at approximate market)	9,692	9,692	9,692				
Stock purchased and held for employees' subscriptions—							
Preferred				48	3,254	658	4,835
Common				9,495	4,000	3,625	32,963
Invests. in cap. stock of Gulf States Steel Sales Co.				10,000	10,000	10,000	10,000

Board's Exhibit No. 110

5881

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
Tenn., Ala. & Georgia R. R. Syndicate Subscription —cost	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Sinking fund	73,218	86,073	490	20,000	17,096	43,456	93,500
Unamortized deb. disc. and expense	370,876	145,621	172,247)	)	253,870	290,869	303,204	349,674
Prepaid expenses	15,032	17,948	44,461)	)			
Current Assets—							
Cash	1,353,557	664,626	324,876	378,046	377,276	432,675	544,151
Accounts receivable ..)	.....			(	660,620	769,407	1,002,105
)	‡1,751,571	‡1,016,594	‡597,777	‡1,111,433(			
Notes receivable ...)	)			(			
Deposited				(	94,120	108,186	110,334

	1936	1935	1934	1933	1932	1931	1930
Assets—	$	$	$	$	$	$	$
with Mutual insur. cos. .	50,075	.....	.....	.....	.....	.....	.....
†Inventories:							
Salable ....)				(868,890	886,839	1,021,559	1,424,253
Convertible .)	b3,276,452	b2,928,733	b3,035,219	(1,076,533	966,212	951,524	2,192,156
Usable .....)				(752,876	636,003	622,902	558,556
Total current assets	6,431,655	4,609,953	3,957,872	4,187,778	3,621,070	3,906,253	5,831,555
Total assets .	33,327,314	27,741,527	27,714,526	28,600,589	28,817,214	29,916,219	32,351,905
Liabilities— . .							
First preferred stock	a2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Common stock	19,807,070	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000	16,850,000
Prem. pay. on pfd. stock . .	a200,000	.....	.....	.....	.....	.....	.....
Accr. divs.—							

R 5—21

Board's Exhibit No. 110

5883

	1936	1935	1934	1933	1932	1931	1930
Assets—	$	$	$	$	$	$	$
pfd. stock ..	a385,381	.....	.....	.....	.....	.....	.....
Funded debt	7,000,000	4,625,000	4,812,500	5,000,000	5,187,500	5,375,000	5,562,500
Capital surplus	1,294,587	1,294,587	1,294,587	1,294,587	1,294,587	1,294,587	1,294,587
P. & L. surplus	1,241,024	1,834,817	1,757,889	1,785,447	1,520,836	2,039,151	3,247,499
Reserves—							
Replacements, repairs and sundries ...	198,195	260,462	355,648	419,990	436,761	435,489	280,153
Res. for contings. ..	190,478	149,005	129,224	120,070	136,593	405,237	249,864
Current Liabilities—							
Notes payable	.....	.....	.....	416,836	600,000	1,242,000	1,600,000
Accounts payable	617,777	376,053	318,852	524,440	388,061	183,908	1,134,117
Res. for Fed. taxes	151,692	23,423	.....	.....	240,000	.....	.....

Assets—	1936 $	1935 $	1934 $	1933 $	1932 $	1931 $	1930 $
Dividends payable †	.....	70,000	.....	.....	.....	.....	.....
Accrued wages, interest and taxes	241,110	258,180	195,826	189,219	162,876	90,847	133,185
Total curr. liabils.	1,010,579	727,656	514,678	1,130,495	1,390,937	1,516,755	2,867,302
Total liabilities	33,327,314	27,741,527	27,714,526	28,600,589	28,817,214	29,916,219	32,351,905
*Net working capital	5,421,076	3,882,297	3,443,194	3,057,283	2,230,133	2,389,498	2,964,253

*Based upon statement of current assets and current liabilities as above.

†Lower of cost of market

‡After reserve of $117,514 for doubtful accounts in 1933, $118,074 in 1934, $50,042 in 1935 and $85,110 in 1936.

Board's Exhibit No. 110

(a) First preferred stock to be redeemed Jan. 2, 1937, at 110% of par value thereof together with unpaid and accrued dividends thereon for which cash has been deposited with trustee (contra).

(b) Classified as follows:

	1936	1935	1934
Raw materials	$1,571,355	$1,337,678	$1,307,882
Work in process	636,774	369,202	547,296
Finished products	743,038	914,564	886,143
Supplies	325,285	307,289	293,898
Total	$3,276,452	$2,928,733	$3,035,219

5886

Board's Exhibit No. 110

EQUITIES FOR STOCK, AS OF DECEMBER 31

Gulf States Steel Co.

	1936	1935	1934	1933	1932	1931	1930
No. of shares of com. stock outstanding	296,069	197,500	197,500	197,500	197,500	197,500	197,500
Par val. of com. stk.	None	None	None	None	None	None	None
Indicated total book value applicable to the common stock (see "Note")	$ 22,162,283	$ 19,387,788	$ 19,334,453	$ 19,665,104	$ 19,557,016	$ 20,483,975	$ 21,641,950
Book value per share of common stock	74.86	98.17	97.90	99.57	99.02	103.72	109.58

Note—Includes reserve for contingencies, but excludes $595,000 ($29.75 per share) in 1935, $525,000 ($26.25 per share) in 1934, $385,000 ($19.25 per share) in 1933, $245,000 ($12.25 per share) in 1932, and $105,000 ($5.25 per share) in 1931, accumulated unpaid preferred dividends. Also excludes unamortized debt discount and expenses in 1934 and subsequent years.

Board's Exhibit No. 110

5887

STATISTICS

Inventories, as of Dec. 31

(Republic Steel Corp.)

	1936	1935	1934	1933	1932	1931	1930
	$	$	$	$	$	$	$
Ore	11,609,554	9,213,489	7,394,270	8,222,150	5,213,062	7,999,434	9,570,239
Scrap	5,475,742	3,062,666	1,698,005	1,118,786	1,064,495	1,314,229	2,972,252
Fuel	1,511,783	997,647	637,356	524,568	637,470	750,351	944,443
Ferr. metals & alloys	1,317,763	1,061,616	484,913	524,281	442,857	512,924	649,214
Rolls, moulds and stools	1,103,343	1,038,428	600,536	682,110	707,583	925,043	981,843
Strs. & mfgd. suppls.	1,887,391	1,358,367	985,745	1,084,561	1,177,295	1,741,190	2,323,062
Pig iron	2,475,634	3,407,558	1,439,926	1,131,193	1,829,065	2,331,402	3,010,480
Semi-fin- prods.	7,754,982	7,118,817	4,034,740	3,253,625	2,286,073	3,767,423	5,291,484
Finished prods.	23,923,479	15,910,915	11,186,410	8,891,012	7,890,979	10,205,164	12,316,838
Miscel raw maters.	955,651	720,991	518,952	523,073	346,903	596,289	937,418
Total	58,015,322	43,890,494	28,980,853	25,955,359	21,595,782	30,143,449	38,996,973

Summary of Production, Years Ended Dec. 31

(Republic Steel Corp.)

	1936	1935	1934	1933	1932	1931	*1930
Iron ore (gr. tons)	3,405,594	1,747,215	1,286,037	1,138,956	149,589	1,073,572	2,121,362
Coal (net tons)	3,142,728	2,426,914	2,283,450	1,349,999	980,016	1,936,692	2,169,064
Coke (net tons)	3,501,831	2,171,128	1,750,905	1,383,623	939,306	1,677,726	2,266,632
Pig iron (gr. tons)	3,035,186	1,864,458	1,231,515	1,072,277	519,380	1,108,138	1,549,197
Bessemer, open hearth and electric ingots (gross tons)	4,291,832	2,894,582	2,004,689	1,831,583	903,899	1,727,687	2,339,062
Finished and semi-finished prod. (net tons)	†	†	†	†	†	1,555,661	2,211,604

*Constituent companies initial three months and corporation final nine months.

†Not reported.

Board's Exhibit No. 110

5889

Total Shipments of Steel Products

(Republic Steel Corp.)

	1936	1935	1934	1933	1932	1931	*1930
Finished prod. (net tons)	2,714,809	1,880,077	1,426,155	1,334,438	835,187	1,531,684	2,020,544
Semi-finished products (net tons)	686,030	316,325	125,345	103,737	46,659	78,910	107,885
Pig iron (gr. tons)	805,638	394,327	222,037	301,241	141,216	277,827	398,836

*Constituent companies, initial three months and corporation final nine months.

Gulf States Steel Co.

Year—	Tons	Year—	Tons	Year—	Tons
1936	260,785	1931	128,494	1927	192,572
1935	159,159	1930	142,625	1926	184,682
1934	116,466	1929	205,247	1925	191,675
1933	152,632	1928	184,127	1924	149,470
1932	98,131				

Note—The above table includes small percentage of semi-finished steel.

MANAGEMENT

Officers

T. M. Girdler, Chairman.
R. J. Wysor, President.
Myron A. Wick, Vice-Pres. in Charge of Finance.
N. J. Clarke, Vice-Pres. in Charge of Sales.
Julius Kahn, Vice-Pres. in Charge of Product Development.
C. M. White, Vice-Pres. in Charge of Operations.
Donald B. Gillies, Vice-Pres.
W. W. Hancock, Secy. & Treas.
P. F. Boyer, Compt.

Executive Committee

John S. Brookes, Jr.; Tom M. Girdler; Victor Emanuel; C. E. Sullivan; Myron A. Wick; R. J. Wysor.

Directors

John S. Brooks, Jr. (*Lawyer, Washington, D. C.; Dir., Pittsburgh Steel Foundry, Harbison-Walker Refractories Co.), Washington, D. C.

Alexander C. Brown (*Vice-Pres., Cleveland-Cliffs Iron Co.), Cleveland, Ohio.

James Bruce (*Dir., Chicago, Rock Island & Pacific Ry., Commercial Credit Co.), New York, N. Y.

Drury W. Cooper (*Partner Cooper, Kerr & Dunham; Dir., International Business Machines Corp.), New York, N. Y.

Wm. H. Coverdale (*Former Pres. of Gulf States Steel Co.; Partner, Coverdale & Colpitts, New York; Chairman of the Board, Seaboard Air Line Ry. Co.), New York.

Victor Emanuel (*Partner Emanuel & Co.), New York.
Donald B. Gillies (Vice-Pres.), Cleveland, Ohio.
Tom M. Girdler (*Chairman), Cleveland, Ohio.
Julius Kahn (Vice-Pres.), Youngstown, Ohio.

R 5—23

William G. Mather (*Chrmn. of the Board, Cleveland-Cliffs Iron Co.; Dir., Otis Steel Co.), Cleveland, Ohio.

J. F. Schoellkopf, Jr. (*Pres., Niagara Share Corp.; Dir., General Railway Signal Co., Great Lakes Portland Cement Co.), Buffalo, N. Y.

Corliss E. Sullivan (*Chairman of the Board Central United National Bank, Cleveland; Dir., Pioneer Steamship Co., Cleveland Graphite Bronze Co.), Cleveland, Ohio.

Charles S. Washner.

Myron A. Wick (Vice-Pres., i/c Finance), Cleveland, Ohio.

R. J. Wysor (*President), Cleveland, Ohio.

*Also a director in other companies.

Executive and General Offices—Republic Building, Cleveland, Ohio. Corporate Office—15 Exchange Place, Jersey City, N. J. Transfer Offices—Prior Preference: Guaranty Trust Co. of New York, New York; The Cleveland Trust Co., Cleveland. Convertible Preferred: Guaranty Trust Co. of New York, New York; The Cleveland Trust Co., Cleveland. Common: The Chase National Bank of the City of New York, New York; The Cleveland Trust Co., Cleveland. Registrars of Stock—Prior Preference: Bank of the Manhattan Co., New York; Central National Bank, Cleveland. Convertible Preferred: Bank of the Manhattan Co., New York; Central National Bank, Cleveland. Common: Manufacturers Trust Co., New York; Central National

Bank, Cleveland. Annual Meeting—Second Wednesday in April at Jersey City, N. J. Listed (All Classes) on New York Stock Exchange. Traded—Common, Pittsburgh, Philadelphia and Boston Stock Exchanges.

BOARD'S EXHIBIT NO. 111

REPUBLIC STEEL CORP.

R6

New York Stock Exchange symbol: RBC

Revised May 27, 1937

Bulletin Section

Detailed description has been published in Annual Report and Statistical Section R 5, revised May 27, 1937.

CURRENT SUMMARY

To expand and round out facilities in Southern territory, this company, third largest producer of steel in the United States, in April, 1937, acquired the Gulf States Steel Co. with a fully integrated plant at Gadsden, Ala., through exchange of two and one-third shares of Republic common stock for each Gulf States Steel share, and assumption of indebtedness of latter company. Republic Steel had previously held a substantial minority interest in Gulf States Steel. Acquisition added about 400,000 tons to Republic's steel ingot capacity, and places it in position to compete more effectively in the important industrial and agricultural markets of the South.

Stimulated by larger demands for steel products from widely varied sources, operations of company expanded materially in first three months of 1937, despite some cur-

tailment of shipments to the automotive industry. Larger usage of steel products, especially those of lighter classifications, was in line with upward trend of business generally. After all charges, net income for the period rose to new quarterly peak of $5,567,000, equal after dividend requirements on preferred stocks, to $1.04 a common share. This compared with profit of $361,000 earned in similar quarter of 1936, which failed to cover preferred dividend requirements.

Including for the first time Truscon Steel Co. and N. & G. Taylor Co., consolidated net sales of Republic Steel Corp. for full year 1936 reached a total of $218,317,000. Profit margins were aided by economies accruing from plant modernization and expansion program, and a firmer price structure prevailing in the second half of the year. After $4,816,000 for retirement reserves and $950,000 surtax on undistributed profits, net income was $9,587,000, equal after requirements on senior stocks, to $1.74 a common share. In 1935, which included Corrigan, McKinney Steel Co. for final three months only, net sales amounted to $136,165,000, and net profit was $4,456,000, with earnings for common equal to 49 cents a share.

Sales of wire products, sheets, bars and plates manufactured by Gulf States Steel Co. increased substantially in 1936 in line with improved farming and business conditions in the Southern states. Net sales rose 45% for the year to $12,778,000, and after all charges, net income was $660,000, compared with $141,000 earned in 1935.

On stock of Republic Steel Corp., regular quarterly dividend of $1.50 a share on prior preference stock was paid July 1, 1937, all arrears having been paid off with distribution of $4.50 a share on Oct. 23, 1936. On old 6% convertible preferred stock still outstanding, dividends were resumed after a lapse from 1930, with payment of $12 a

share Dec. 19, 1936, followed by payment of $1.50 on April 1, 1937, and declaration of like amount payable July 1, 1937. Giving effect to latter payment, accumulations amounted to $25.50 a share.

Reflecting acquisitions and consolidations effected during 1936, total assets of Republic Steel at year-end increased to $343,950,000, from $297,476,000 a year before. Current assets of $93,524,000 included $13,350,000 cash, $22,158,000 receivables and $58,015,000 inventories, while current liabilities were shown at $20,717,000. Net working capital was $72,806,000. In addition, there was segregated as a fixed asset, cash of $23,087,000 obtained from new financing, and earmarked for capital improvements.

Gulf States Steel Co. at Dec. 31, 1936, had current assets of $6,432,000, of which inventories at $3,276,000 made up about one-half. Cash of $1,354,000, alone exceeded total current liabilities by $344,000.

(An analysis of the steel industry and comparative analysis of stocks of the leading companies in that field has been published in Standard Trade and Securities.)

CAPITAL OUTSTANDING

(As of Dec. 31, 1936, but giving effect to issuance of $690,828 common shares in acquisition of Gulf States Steel Co.)

Fund. Debt (See Note below)	$117,974,148
6% cum. conv. pr. pref. stk., ser. "A" ($100 par)	282,303.5 shs.
6% cum. conv. pfd. ($100 par)	119,597 shs.
Common (no par)	*4,818,092

*Includes shares held in treasury.

Extent of Cleveland-Cliffs Iron Stockholdings—Cleve-

land-Cliffs Iron Co., as of Sept. 30, 1936, owned 415,667 shares of Republic Steel common stock. All of these shares are hypothecated to secure certain bank loans.

Individual Reports Section

STANDARD CORPORATION RECORDS

Vol. 15—No. 3286 June 7, 1937 Sec. 7

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345 Hudson St., New York, N. Y.
Printed in United States of America

This information, while not guaranteed, is believed to be correct

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R 6—2

Prior preference stock, series "A" is redeemable at $110 and accrued dividends; is convertible at option of holder at any time into two shares of common stock; has one vote per share, equally with common, and any unexchanged 6% cumulative convertible preferred.

Preferred stock is redeemable at $110 and accrued dividends, and is convertible into one share of common at rate of 1¼ shares through May 1, 1937; 1½ shares through May 1, 1942, thereafter at 1¾ shares. It has one vote per share.

Transfer Agents for 6% convertible prior preference stock, and the 6% convertible preferred stock: Guaranty Trust Co. of New York, and the Cleveland Trust Co., Cleveland. For the common stock: The Chase National Bank of the City of New York; and the Cleveland Trust Co., Cleveland.

Note on Funded Debt—Above total represents amount

outstanding after giving effect to assumption of $7,000,000 first (closed) 4½s of Gulf States Steel Co. As part of extensive financing program effected in 1935 and 1936, practically all underlying liens were retired, and new issues of purchase money first mortgage convertible 5½s, and general mortgage 4½s (issuable in series) were created. Issues outstanding Dec. 31, 1936, consisted of $15,361,000 Republic Steel Corp. purchase money first mortgage convertible 5½s, due Nov. 1, 1954; $24,000,000 Republic Steel Corp. general mortgage convertible 4½s, series "A," due Sept. 1, 1950; $43,934,000 Republic Steel Corp. general mortgage 4½s, series "B"; $25,000,000 Republic Steel Corp. general mortgage 4½s, series "C"; $2,603,900 assumed Central Steel Co. first mortgage 8s, due Nov. 1, 1941; and $7,000,000 assumed Gulf States Steel Co. first (closed) mortgage 4½s, due Oct. 15, 1961.

Funded Debt Reduced Through Conversion of Bonds into Common Stock—From Jan. 1, 1937, to March 31, 1937, funded debt of company was reduced more than $15,000,000 by conversion of purchase money first mortgage convertible 5½s and general mortgage 4½s, convertible series "A," into common stock.

PRICE RANGE—MARKET ACTIVITY

Both classes of preferred and common stocks are listed on the New York Stock Exchange, as are also the principal bond issues. High and low prices in recent years, together with volume of trading, for each class of stock and the more active issues of bonds, listed on the same exchange, follow:

Preferred (Old)

Year	High	Date		Low	Date		No. Shares
*1937	124	April	23	109	Jan.	19	22,700
1936	128	Dec.	17	77	May	4	117,550

Year	High	Date	Low	Date	No. Shares
1935	97	Nov. 14	28⅝	Mar. 18	426,400
1934	67½	Feb. 23	33½	Oct. 29	327,500
1933	54½	July 13	9	Feb. 28	381,005
1932	28⅞	Sept. 6	5	June 28	148,520

Prior Preferred

Year	High	Date	Low	Date	No. Shares
*1937	110¼	Mar. 10	99	Jan. 2	19,500
1936	104¼	Oct. 1	78¼	May 4	71,600
§1935	95½	Nov. 22	78½	Oct. 2	46,700

§From Sept. 27 (date of listing) to Dec. 31.

Common

Year	High	Date	Low	Date	No. Shares
*1937	47¼	Mar. 11	27½	Jan. 4	3,471,300
1936	29⅞	Dec. 15	16⅞	April 30	3,610,100
1935	20¾	Nov. 20	9	Mar. 15	1,832,600
1934	25¾	Feb. 23	10½	July 26	1,824,900
1933	23	July 13	4	Feb. 27	2,543,200
1932	13⅞	Sept. 8	1⅞	June 2	935,966

Gen. Mtge. Conv. Ser. A 4½s, 1950

Year	High	Date	Low	Date	Sales
*1937	212	Mar. 11	127	Jan. 5	$11,257,000
1936	135	Dec. 15	106	July 8	1,634,000
1935	115⅝	Nov. 22	102⅝	Oct. 3	7,053,000

Gen. Mtge. Ser. B 4½s, 1961

Year	High	Date	Low	Date	Sales
*1937	100	Jan. 8	95	April 2	$2,115,000
1936	100¼	Feb. 25	95½	July 8	521,000

*To April 30, inclusive.

ANNUAL EARNINGS AND DIVIDENDS

Republic Steel Corp.

Per Share Earnings on preferred and common stock in recent years and dividends declared are shown below:

	Earned		
	Prior Pref.	Conv. Pfd.	Com.
	$	$	$
*1936	33.96	66.00	1.74
‡1935	16.59	19.71	0.49
1934	....	d5.81	d3.43
1933	....	d6.80	d3.83
1932	....	d18.91	d7.58

	Dividends Declared		
	Prior Pref.	Conv. Pfd.	Com.
	$	$	$
1936	10.50	12.00	....
1935	1.50	....	....
1932-34	....	....	....

*Includes Truscon Steel Co. and N. & G. Taylor Co.

‡Includes Corrigan, McKinney Steel Co. from Oct. 1, 1935.

d Deficit.

Gulf States Steel Co.

Per share results and dividends declared in recent calendar years were as follows:

	1st Preferred		—Common—	
	Earn.	Declared	Earn.	Declared
	$	$	$	$
1936	33.01	*36.77	1.76	Nil
1935	7.06	3.50	0.01	Nil
1934	d2.90	Nil	d1.00	Nil
1933	9.65	Nil	0.27	Nil
1932	d31.87	Nil	d3.94	Nil

*Includes $29.77 paid on account of arrears.

d Deficit.

Note—Long-term analysis of income account and record of dividends paid in calendar years has been published in Annual Report and Statistical (Buff) Section R 5.

INTERIM EARNINGS

Consolidated Income Account (includ. subs., and after deprec., etc.):

Quarters Ended:	Inc. Bef. Depr. Fxd. Chgs., Etc.	Deprec. & Depl.	Fed. Taxes
Mar. 31, '37	$11,585,982	$2,513,868	†2,250,000
Mar. 31, '36	4,238,998	2,397,148	75,550

Quarters Ended:	Avail. for Fxd. Chgs.	Fixed Charges	Times Earned
Mar. 31, '37	$6,822,114	$1,255,051	5.44
Mar. 31, '36	1,766,300	1,405,268	1.26

Quarters Ended:	Net Income	e Earn. per Com. Shr.
Mar. 31, '37	$5,567,063	$1.04
Mar. 31, '36	361,032	d0.06

c Based on 4,752,700 common shares in 1937, and 4,046,767 common shares in 1936, after allowing for prior preference and preferred dividend requirements.

†Includes $925,000 provision for Federal surtax.

d Deficit.

LATEST DIVIDENDS

Regular quarterly of $1.50 a share on prior preference stock was declared payable July 1, 1937, to holders of record June 12. Arrears on the issue, which amounted to $4.50 a share (representing 1935 accruals) were paid off Oct. 23, 1936.

On old $6 convertible preferred unexchanged under capital readjustment plan, dividend of $1.50 was declared payable July 1, 1937, to holders of record June 12, following distribution of similar amount on April 1, 1937, and $12 a share on Dec. 19, 1936. Giving effect to July 1, 1937, disbursement, arrears amounted to $25.50 a share.

FINANCIAL POSITION

Net Current Assets of company at March 31, 1937 (prior to acquisition of Gulf States Steel Co.) were reported in excess of $75,000,000, not including funds held by mortgage trustee from proceeds of bonds sold in November, 1936, which funds specifically were held for property improvements. Expenditures for such improvements in the first quarter of current year amounted to more than $8,250,000.

Since Jan. 1, 1937, it was stated, funded debt of corporation had been reduced more than $15,000,000 through conversion of convertible bonds into common stock.

INDUSTRIAL BACKGROUND

Completely integrated for steel manufacture from ore extraction to fabrication of finished products, Republic Steel ranks as the third largest enterprise in the industry. Acquisition in April, 1937, of Gulf States Steel Co., second largest factor in the steel industry of the South, considerably strengthened Republic's competitive position in that area, and gave it a direct entrance into the highly important Southern agricultural and industrial market. The enlarged enterprise has an effective annual capacity of 3,600,000 tons of pig iron, 6,483,000 tons of steel ingots, and facilities for production of 4,947,000 tons of finished hot rolled products.

Corporation is the largest domestic producer of high grade carbon alloy and special steels, a large part of its aggregate capacity being alloted the manufacture of these products. Of its finishing facilities, about three-fourths is devoted to production of bars, sheets, strip and light plate. Company is third largest domestic producer of pipe, being equipped for some 850,000 tons per annum, and ranks sixth as a maker of tin plate with an annual capacity of over 3,150,000 base boxes. Products also include wire and wire goods classifications, automobile axles, nuts, bolts and rivets, and cold drawn steels. Output of finished steel is largely in lighter types, corporation having no rail or heavy structural capacities. A large percentage of steel output is also converted into highly finished products and manufactured articles.

In recent years, almost half of output has been consumed by a large number of miscellaneous users, including jobbers and distributors. Of individual outlets, the automobile trade remains dominant, with other important outlets consisting of railroad, building, food and packing, agriculture, oil, gas and water industries.

Majority of plants are located in six steel producing centers, the Valley (around Youngstown, Ohio), Cleveland, Chicago, Gadsden, Ala., Buffalo and Pittsburgh districts, with bulk of facilities concentrated in first four areas. Expansion policy effected in 1936, included additions to alloy steel, electric tube and tin plate facilities, which substantially increased productive capacity for these products. Construction at Cleveland of a new 720,000 tons annual capacity 98-inch continuous wide strip mill started in 1936, also was expected to be placed in operation in latter part of 1937. This new unit, with Great Lakes shipping services available, will enable corporation to compete more effectively for a larger part of important sheet steel business emanating from the automotive industry at Detroit.

GENERAL INFORMATION

Advances Wages and Established 40-Hour Week—Company announced in Cleveland establishment of the 40-hour week and pay increase of 10 cents an hour, raising the rate to 62½ cents an hour, or $5 a day for common labor, effective March 16, 1937.

Announce Vacation Plan—Wage Increase for Employees Not Benefited by Recent Higher Scale—March 10, 1937, this company announced a vacation plan for its 35,000 employes in Northern plants and a 10-cent-an-hour wage increase for employes not benefited by the raise recently announced for common labor. Employees would have the option under vacation plan of additional pay in lieu of a vacation. Those with three years' service and less than five were entitled to three days' vacation, those with five years and less than ten, six days'; those with ten years and less than 15, eight days, and those with 15 years or over, 10 days.

Marks Up Prices of Alloys Steels—March 11, 1937,

Cleveland despatch said that this company had increased

R 6—4

prices on its alloy steels which would be effective only on orders that could be filled during the quarter ending June 30, 1937. Any orders received which could not be filled before that time would not be subject to the new prices.

Hot rolled alloy steel bar base price, was increased 25 cents per hundredweight to $3; blooms and billets, or semi-finished, was increased $5 a gross ton to $60, and cold finished alloy base was raised 35 cents per hundredweight to $3.60.

Monroe Property Ordered Sold—May 7, 1937, Circuit Judge Golden, Monroe, Mich., ordered Court Commissioner Navarre to hold a foreclosure sale of Monroe property of Newton Steel Co.

Republic Steel Co., holder of the mortgage, was seeking to reduce the properties to possession.

Any later information published in Daily News Section will be topically indexed in Capital Letters.

BOARD'S EXHIBIT NO. 113

WESTERN UNION

Youngstown, O. June 23, 1937

Mrs. Frances Perkins,
Secy. Dept. of Labor,
Washington, D. C.

As law abiding citizens of Youngstown and Mahoning County we appeal to you to put an end to the labor trouble that has been in effect in our valley for the last four weeks, which is uncalled for and is causing a terrible loss in wages

to our workmen that cannot be replaced, and is demoralizing business in general.

We had better working conditions in our plants with higher wages than was ever known in our history and were happy and contented knowing we had steady work and living conditions as Americans should have. This picture has been changed to one of blood-shed, riot and fear for the safety of our families by professional agitators who have never worked in a steel mill coming to this valley spreading discontent and breaking every law on our statute books.

These same agitators if deprived of the remuneration they receive for signing members in a so called labor organization would soon leave for parts unknown to try some other racket.

We urge you to use the resources of your high office to end this strike so we may resume our places as American citizens and workers.

In regards to a written contract with the CIO we feel it is not worth the paper it is written on when it involves an irresponsible party. From developments since contracts have been signed with the CIO we feel you are more familiar than we are with conditions.

We have signed petitions from the majority of our employees who are desirous of returning to work at once and feel that the Republic Steel Corp. has dealt with us in a manner that showed they were working to our best interests.

John L. Smith, Chairman
Independent Federation of
Republic Employees.

BOARD'S EXHIBIT NO. 115

REPUBLIC STEEL CORPORATION

Youngstown District

Plan of Employee Representation

Adopted June 1933
Amended June 1934
Amended March 1937

REPUBLIC STEEL CORPORATION
Youngstown District

Plan of Employee Representation

"This Plan of Representation and By-Laws pertaining thereto, has been adopted by the employees and the Company for the purpose of collective bargaining."

I.

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever

necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative shall be deemed to have vacated his office as such upon his voluntary severance of his relations with the Company or upon his discharge for cause, or upon his appointment to such a regular position as would make him one of the persons described in paragraph 3 of Section III hereof.

3. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in paragraph 3 of section III) on the date fixed for nominations, shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

4. This plan shall in no way discriminate against an employee because of race, sex or creed; or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV.

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters by anyone in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his

Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representatives to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Management's Representative

The Company shall appoint a Management's Representative to facilitate close relationship between the Management and the Employee Representatives.

The Management's Representatives shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4—Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII.

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representatives.

5. Special meetings of Committees and of Joint Com-

mittees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII.

Annual Conference

An annual conference between all of the Employee Representatives and Representatives of the Management

shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX.

Procedure for Adjustments

1. Any matter which in the opinion of any employee, or group of employees, requires adjustment, may be taken up with the foreman of the work on which he or they are engaged or with the Representative of his or their department, in writing.

First—With the Superintendent concerned.

Second—With the Management's Representative.

Third—With the Management, who shall endeavor to effect a settlement, or who may with the approval of all parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within a period of fourteen (14) days, any employee through his Representative or the Management through the Management's Representative may require such matter to be referred to a proper Committee, by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

All changes in hourly or tonnage rates, fixed or determined by a decision of a Joint Committee, shall be made effective as of the date the written request was filed with the department head. Requests for changes in hourly or tonnage rates shall be considered closed upon a decision of a Joint Committee unless notice of an appeal is filed in writing with the Management's Representative within a period of three (3) days after the decision was rendered.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X.

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI.

Amendments

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by three-fourths majority vote of the General Body of Employee Representatives at an Annual Conference.

2. This Plan shall remain in effect until such time as there is a mutual agreement between the General Body of Employee Representatives and the Management, to place the question of dissolution before the employees at any annual election; a two-thirds vote of the employees, for dissolution, being necessary to terminate the Plan.

ER 733 10M books 3-37

BOARD'S EXHIBIT NO. 127

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of Republic Steel Corporation and Steel Workers Organizing Committee

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Case No. C-184

SUPPLEMENTARY CHARGE

A charge having been previously filed with the National Labor Relations Board at Washington, D. C., on June 21, 1937, by the undersigned in the above captioned matter, the undersigned, pursuant to Section 10 (b) of the National Labor Relations Act, hereby supplements said charge and alleges that the

has engaged in and is engaging in unfair labor practices within the meaning of Section 8, subdivisions (1), (2), and (3) of said Act in that:

(1) Said corporation has dominated and interfered with the formation and administration of the Plan of Employee Representation, (Central Alloy District, Canton Works), The Employees' Representative Association, and the Plan of Representation of Employees (Canton Tin Plate Corporation), labor organizations of its employees at its Canton, Ohio, plant, and has contributed financial and other support to such labor organizations.

(2) Such corporation has dominated and interfered with the formation and administration of the Plan of Employee Representation (Central Alloy District, Massillon Works), and the Employees' Representative Association, two labor organizations of its employees at its Massillon, Ohio, plant, and has contributed financial and other support to such labor organizations.

(3) Said corporation by its officers and agents at all times since the organization of the Steel Workers Organizing Committee, has threatened its employees with discharge if they joined or assisted the Steel Workers Organizing Committee, and has interfered with, restrained and coerced its employees in the exercise of the right to self organization.

(4) Said corporation has discharged on or about the following dates the individuals hereinafter named employed at its Canton, Ohio, plant: May 12, 1937 Joseph L. Corey and Peter Fontes; May 5, 1937 Will S. Wright; April 29, 1937, Charles Bikoski; April 27,

1937, Sabri Shaban; February 16, 1937, Tom Douglas; February 11, 1937, Mike Ugranovich; October 19, 1936, Michael Wucinich; and August 8, 1936, Victor Arias, and other employees and has refused to reinstate said employees at the Canton plant, at Canton, Ohio, for joining the Steel Workers Organizing Committee, and for refusing to join the plan of Employee Representation (Canton Alloy District, Canton Works) and the Plan of Representation of Employees (Canton Tin Plate Corporation) and Employees' Representative Association.

(5) Said corporation has discharged on or about the following dates the individuals hereinafter named, employed at its Massillon, Ohio, plant: May 4, 1937, Elli Metroff; May 3, 1937, Peter Moryios; April 30, 1937, Feim Gezo; and April 27, 1937, Paul Pulos, and other employees at its Massillon plant, at Massillon, Ohio, for joining and assisting the Steel Workers Organizing Committee and refusing to join the Plan of Employee-Representation (Central Alloy District, Massillon Works) and the Employees' Representative Association.

(6) Said corporation, by its officers and agents, prior to May 12, 1937, did threaten employees in its Massillon plant at Massillon, Ohio, with discharge, lay-off and the complete shut-down of said plant, and on or about May 12, 1937 did suddenly and without notice cease operations at said Massillon plant and did lock out almost all of its employees in said plant, for joining and assisting the Steel Workers Organizing Committee.

(7) By the aforesaid acts said corporation has discriminated in regard to the hire and tenure of employment of its employees within the meaning of Sec-

tion 8, subdivision (3) of said Act, dominated and interfered with the formation and administration of labor organizations of its employees and contributed financial and other support to such labor organizations within the meaning of Section 8, subdivision (2) of the said Act, and interfered with, restrained and coerced its employees in the exercise of their right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining and other mutual aid and protection within the meaning of Section 8, subdivision (1) of the said Act.

The undersigned further alleges that said unfair labor practices are unfair labor practices affecting commerce within the meaning of said Act.

Lee Pressman

Steel Workers Organizing Committee
3600 Grant Building
Pittsburgh, Pennsylvania

Subscribed and sworn to before me this 14th day of July, 1937.

Adela M. Bateman
Notary Public, D. C.

RESPONDENT'S EXHIBITS

RESPONDENT'S EXHIBIT NO. 2

State of Ohio,
Stark County, ss:

IN THE COURT OF COMMON PLEAS
Case No.

S. H. Smith, et al.,
Plaintiffs,

vs.

Amalgamated Association of Iron, Steel & Tin Workers of North America, et al.,
Defendants.

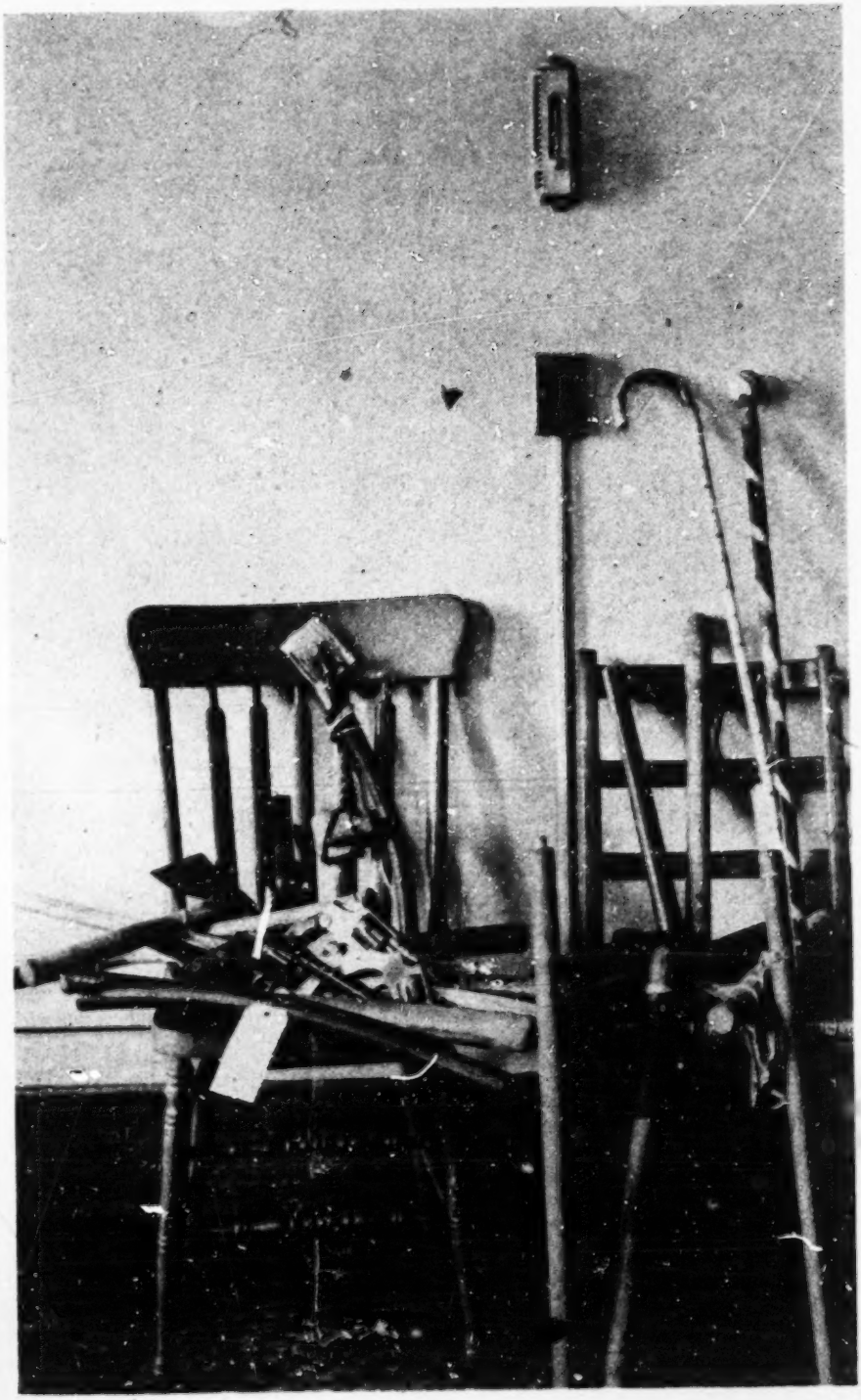
JOURNAL ENTRY

This day this cause came on to be heard upon the petition of the plaintiffs, answer of the defendants, and the evidence, and was submitted to the court. On consideration whereof the court find on the issues joined for the plaintiffs that the plaintiffs are entitled to work in the plant of the employer, the Republic Steel Corporation, without interference from the defendants, their agents, members or employes or persons associated with them, or their aiders and abettors.

It is therefore considered and decreed that the defendants, and each of them, be and they are hereby perpetually enjoined:

(1) From arming, or permitting any of their pickets being armed with clubs, pipes, baseball bats, blackjacks, knives, guns or other weapons;

(2) From obstructing any streets, or highways



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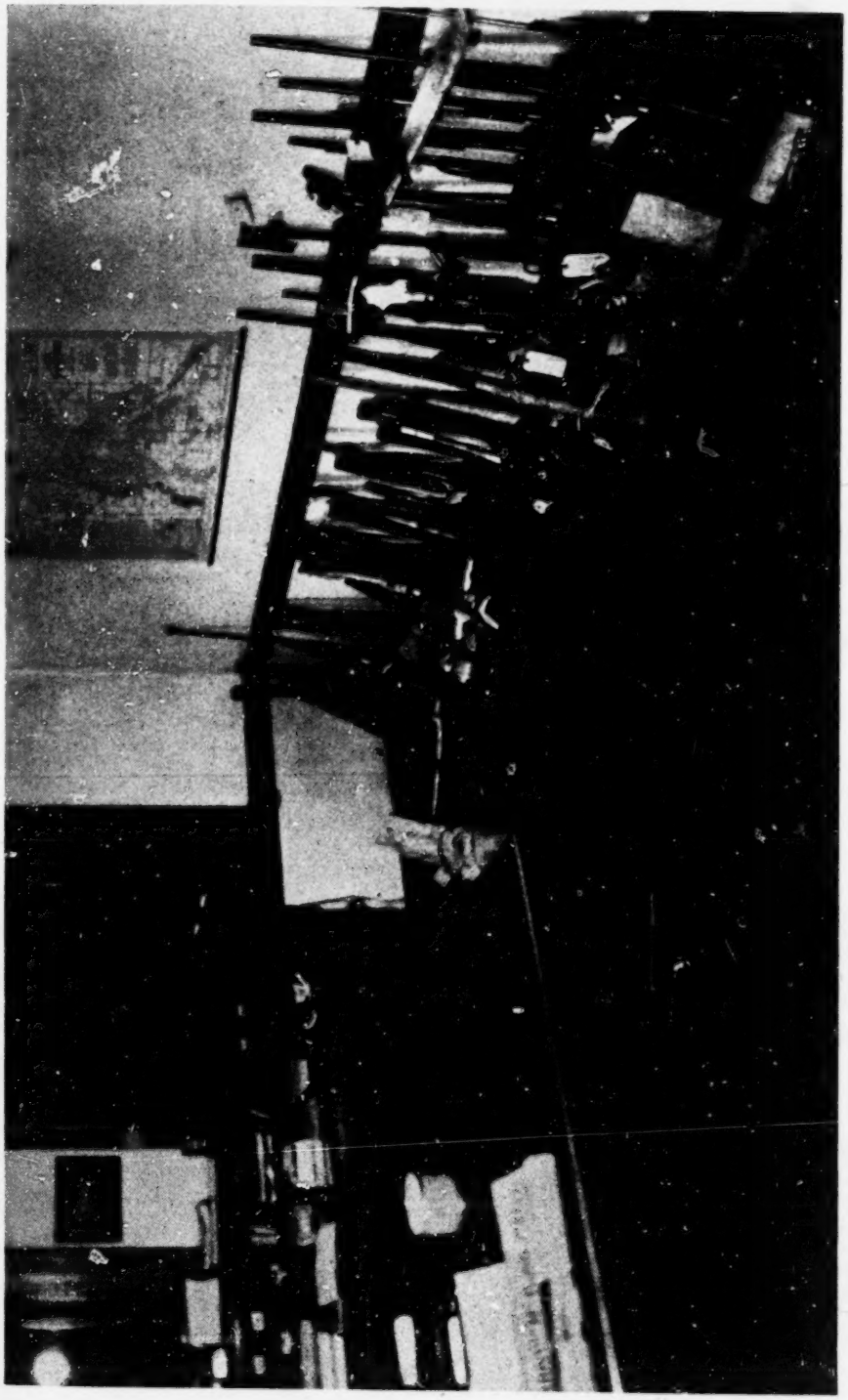

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within the county of Stark, or within the city of Canton, Ohio, or interfering with persons in the lawful use of said streets and highways;

(3) From inducing by intimidation, threats, abuse or violence, any person who is now, or may hereafter become an employee of the Republic Steel Corporation, to leave plaintiffs' employ; and from preventing, by intimidation, threats, abuse or violence, any person from entering into employment with the Republic Steel Corporation, in the County of Stark;

(4) Said defendants are further restrained from in any manner interfering with the rights of the plaintiffs and those similarly situated from entering the plant of the employer for the purpose of working, or in any manner interfering or preventing those now in the plant to leave said plant; and said defendants are restrained from interfering with the free access of the plaintiffs and those similarly situated to the employer's premises, and with their free return to their homes, boarding places or other places to which they may desire to go.

(5) From damaging any of the property of the plaintiffs, or those whom they represent.

Coming now to the question of fixing and determining the number of pickets that may be on duty at any time during the continuation of this strike; the Court fixes the number as follows:

At any of the gates and entrances of the plants of the Republic Steel Corporation in or near the City of Canton, Ohio, and such other places which afford ingress and egress to the employees, there shall be not more than six (6) pickets, except at the main gate on 8th Street, N. E., in the City of Canton, Ohio, near

the office, where there may be ten (10) pickets.

As to the number of pickets at other points outside those above enumerated no special rule can be laid down in detail, but at no place or point may the number be so great as to prevent access to the plants, or in itself to constitute a threat of physical force. This order with respect to the number of defendants' agents or pickets can be amended when necessity is made to appear.

It is further considered that plaintiffs recover from the said defendants, their costs herein expended, taxed at .....Dollars.

George N. G.....
Judge.

RESPONDENT'S EXHIBIT NO. 7

PROCLAMATION

To All Persons Within Stark County:

Under and by virtue of an authority of the Proclamation issued to me as Sheriff of Stark County, Ohio, by the Honorable Martin L. Davey, Governor of the State of Ohio, by his duly constituted authority, and by virtue of the provisions of law in such cases made and provided, and by virtue of the provisions of law defining the duties of a Sheriff as to the maintenance of law and order and the peace and security of life and property within my jurisdiction, I, Joseph T. Nist, as Sheriff of Stark County, Ohio, hereby issue the following Proclamation designed and intended to regulate and define the conduct of all persons found within the limits of said County and issued for the purpose of maintaining peace and quiet, protecting and safeguarding life and property and checking and controlling rioting and lawlessness.

The Adjutant General of the State of Ohio, has been ordered to place in Stark County, a sufficient number of troops of The Ohio National Guard as may be necessary to prevent riots and rioting, injury to persons and property and to maintain in a general way, order and authority within the areas in Stark County affected directly or indirectly by the strike; and further that the said Adjutant General shall proceed forthwith, and therefore, I, Joseph T. Nist, as Sheriff of Stark County, Ohio, in order to effectuate such order so issued, hereby declare that the following rules of conduct and instructions shall govern in Stark County during the continuance of the emergency occasioned by said above referred to strike.

I COMMAND:

FIRST: All persons within the County of Stark to refrain from congregating in the streets in groups and to refrain from entering the vicinity of strike areas, except on lawful missions.

SECOND: All persons except duly and legally appointed law enforcement officials found within the confines of Stark County shall be disarmed of all dangerous weapons and equipment of all kinds and description.

THIRD: Any person guilty of the violations of the law shall be arrested and turned over to the proper authority for prosecution.

FOURTH: There shall be permitted no invasion of Stark County by non-residents thereof whose intent it is to violate the provisions of the decree of the Court of Common Pleas of Stark County in Case No. 76546 in said court.

FIFTH: The citizens of this county and all persons therein are hereby ordered not to visit the strike areas as sight-seers or as visitors in order that the officials in charge may not be hampered or embarrassed in their efforts to bring about effective compliance with the orders herein issued or with their general duties.

SIXTH: Persons finding it necessary to use the streets and public ways in the vicinity of the strike areas shall be permitted to do so without interference, and I hereby direct that such right shall be secured by the officials in charge of law enforcement within said strike areas.

SEVENTH: I hereby direct that there shall not be placed nor maintained on, over or across any public thorofare within the confines of this county, any barrier or impediment to the right of any citizens of, or persons within this county to use such public thorofares in the usual course of his business or convenience.

EIGHTH: I hereby direct that no loitering shall be permitted within Stark County at any place which in the judgment of the enforcement officials will induce lawlessness or trouble in the strike situation in this county.

NINTH: I hereby declare and direct that the orders issued by the Common Pleas Court of Stark County, Ohio, on the 25th day of June, 1937, in case No. 76546 in said Court filed, shall be strictly and impartially enforced, administered and carried out.

I hereby expressly reserve the right to at any time during the emergency occasioned by the strike above referred to, to amend, add to or detract from the orders herein issued.

I hereby order and declare the provisions of this Proclamation to be effective immediately and to continue until I have otherwise directed.

This Proclamation is issued for the purpose of maintaining peace and lawful conduct of all citizens within Stark County, Ohio, and for the purpose of safeguarding life and property and to that end all law enforcement agencies within this county are hereby declared coordinated and pledged.

And I, Joseph T. Nist, Sheriff of Stark County, in the name of the State of Ohio, hereby command all persons found in Stark County to abide peacefully and in strict accordance with the terms and regulations hereinbefore set forth.

Dated this 25th day of June, 1937 at 6:00 o'clock P. M.

Joseph T. Nist,
Sheriff.

Allied Printing Trades Council
Union Label 6
Canton, O.

RESPONDENT'S EXHIBIT NO. 8

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of Republic Steel Corporation and Steel Workers Organizing Committee

---

Case No. C-184

STIPULATION IN RE RESPONDENT'S EXHIBIT NO. 8

Respondent says that respondent's Exhibit No. 8, identified during the direct examination of the witness, Richard R. France, (R. p. 3441), was a photograph taken at the Stark County, Ohio, jail, showing weapons taken from the pickets in Stark County, Ohio. The original negative film which was the property of France, has been lost or destroyed. A copy of the original print, however, was secured from Mr. France and re-photographed. It is hereby stipulated and agreed by counsel for the respondent that the print accompanying this stipulation is a photograph of the original print of respondent's Exhibit No. 8, and the same may be used and considered by the National Labor Relations Board in place of the original Exhibit No. 8.

THOMAS F. PATTON,
DAY, YOUNG, VEACH & LEFEVER,
HARRINGTON, HUXLEAN & SMITH,
LYNCH, DAY, PONTIUS & LYNCH,
Counsel for the Respondent.

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RESPONDENT'S EXHIBIT NO. 11

NOMINATION BALLOT FOR EMPLOYEE REPRESENTATIVES

Directions to Voters

This ballot is issued to qualified voters to nominate candidates for Employee Representatives.

The voter, by using this ballot, approves the holding of Nominations and Elections as stated in the posted notice issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses his desire that those elected shall represent him in collective bargaining and for the other purposes stated in the notice.

Each qualified voter is entitled to nominate twice the number of Representatives to which his department or voting division is entitled.

Write Names or Check Numbers of Candidates Below:

Name Check No.

VOTE FOR EIGHT ONLY

If you write more your ballot will be VOID

Central Alloy District Massillon Plant

Billet Sheds

(Department or Voting Division)

Date—June 9, 1936.

RESPONDENT'S EXHIBIT NO. 12

ELECTION BALLOT FOR EMPLOYEE REPRESENTATIVES

Notice to Voters

By using this ballot the voter approves the holding of Nominations and Elections as stated in the posted notice of this Election issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses the desire to be represented for collective bargaining and the other purposes stated in the notice, by Representatives elected under the Plan.

Directions to Voters

Place cross (X) in front of the name of the candidate or the name of each of the candidates whom you wish to elect as Representatives of your Department or Voting Division.

PLACE (X) BELOW	Names of Nominated Candidate or Candidates
	2273—George Pappas
	2231—H. North
	2491—P. Hoffman
	2255—R. Barnes
	4083—W. Mazon
	2421—H. Steiner
	2582—A. Regne
	2506—C. Moore
	2224—J. Broglio
	2215—J. Honeck
	2271—S. Kutz
	2410—R. Caldwell
	2222—O. Sword

VOTE FOR 4 ONLY

If you vote for more your ballot will be VOID

CENTRAL ALLOY DISTRICT

MASSILLON PLANT

BILLET SHEDS

Department or Voting Division

Date—June 12, 1936

RESPONDENT'S EXHIBIT NO. 13

NOTICE

REGULAR ANNUAL ELECTION PLAN OF EMPLOYEE REPRESENTATION FOR EMPLOYEE REPRESENTATIVES

For the Purpose of Collective Bargaining and Other Purposes Provided for Under the Plan

THE EMPLOYEES' COMMITTEE WILL CONDUCT NOMINATIONS AND ELECTIONS AS STATED BELOW. NOMINATIONS AND ELECTIONS SHALL BE HELD BY SECRET BALLOT

NOMINATIONS

Nominations for Employee Representatives will be held

Tuesday, June 9, 1936

Each qualified voter will be furnished at the polls with a ballot on which he may write the names of those individuals whom he desires to place in nomination.

The number to be nominated in each department will be stated on the ballot.

Those receiving the highest number of votes shall be declared nominated.

ELECTIONS

Elections for Employee Representatives will be held

Friday, June 12, 1936

Each qualified voter will be furnished a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall be declared elected as Employee Representatives. Nominees failing of election shall stand as alternates in the order of their vote.

All employees of the Company (except those in supervisory positions) who are enrolled on the Company's payrolls on the date fixed for nomination shall be entitled to vote.

Lists of those qualified to vote will be in possession of the Judges at the polls.

No Employee Representative or Nominee shall be eligible to serve on the Election Board within their own voting division.

The above regulations are in accordance with the Plan and those who desire so to choose their Representatives for such purposes should vote at the Nominations and Elections.

Nomination Polls Open—Notices will be posted Mon. June 8, 1936 in departments.

Election Polls Open—Notices will be posted Thurs. June 11, 1936 in departments.

EMPLOYEES' COMMITTEE ON ELECTIONS

H. R. Steiner
Forrest Seese
M. J. Trotter
Harry Jones
Harry Kinne

RESPONDENT'S EXHIBIT NO. 14

Superintendent's Forwarding Copy

ER 727 3M SETS 8-34 File Record .....

REPUBLIC STEEL CORPORATION AND SUBSIDIARIES

Employee Representation Plan

Record of Case Presented to Employee Representative

.....

District or Subsidiary Plant Date

Presented by .....
Name of Employee Check Number Occupation

Presented by .....
Name of Group No. Men Involved Department

Statement of Case: .....

.....

.....

.....

.....

Employee Representative

Disposition of Case:

Date	No Action	Affirmative	Negative	Compromised	Withdrawn

Foreman .....

Superintendent .....

Management's Representative .....

Committee .....

Committee .....

Committee .....

Committee

Final Disposition: .....

.....

.....

.....

.....

Date .....

Management's Representative

RESPONDENT'S EXHIBIT NO. 15

This is to certify that we, the undersigned, without any pressure or intimidation from either the company, the C. I. O. or any other union or organization, have willingly put our signatures hereon for the purpose and intent, that we wish to return to work under exactly the same condi-

tions and rates as we were forced to leave Republic Steel Corporation.

William Smith	No. 6835	inspector
Joe Wiskofske	8382	Shears
C. McCullum	7196	Sheet Div.
Carl Kaltz	7192	Sheet Div.
Elmer Daniel	8158	Hot Mill
John Fratika	7082	Finishing & Shipping
Wm. Radulea	6133	Janitor
Domineche Caraccilo	6689	Cold rolls
Donald Morrison	8356	Hot Mill
Chas. E. Yost	8358	Hot Mill
Jay Douglas	7083	Inspection
Matt Bartko	6875	Shipping
Delmar Butzer	7489	Normalizer
Earl C. Welcher	6429	Sheet mill
A. H. Carlton	7713	Sheet Div.
H. F. Reichel	7896	Hot Mill
Marion H. Hammond	6808	Sheet finish
R. W. Beals	6178	Sheet Mill
A. Marks	8102	Sheet Mill

HOT MILL July 2

Chester N. Gallatin	7686
Herbert Fothergill	6119
Albert H. Ertle	7886
George Hindley	7914
Edward Peters	8253
Wm. Lentz	8221
Willis Homerichhouse	8119
W. J. Martia	8112
A. P. Hambach	7921
M. D. Donohoe	7552
E. Kochler	8343
E. S. Bright	7861

W. M. Cairns	8281
Fred Levengood	7839
Geo. Drefernbaugh	8192
Fred Richard	8297
Harry B. Lynch	7680
Raymond Arney	8162

HOT MILL July 2

Jacob Baus	7502
Fred E. Hasler Jr.	6841
Joe Blecker	6120

SHEET MILL

Clifford Sidle	8077
Clyde Gesaman	8151
Norman Ricker	8302
Percy Walton	4333
Victor Fenton	7717
Wm. Steinberg	7771
Heamos Ridrordra	6588

HOT MILL July 2

H. W. Stoop	7777
M. Clark	7716
H. LeMasters	7947
Z. Greer	7501
W. Dingler	6117
G. Eugene	7776
A. Updegraff	8312
Lorrie Robinson	6400
Lawrence Summar	9196
Marshall Boyd (X)	6524
Virgil Null	8375
Austin Bernhart	7560
Albert Map	6512
Wm. A. Thomas	8207

Samuel Maddox	8115
Ed Maddox	8359
Thomas Taylor	7420
—Joe Wishofske	
Dorson Surhart	8014
Robert E. Haney	8005

HOT MILLS

H. McAllister	8044
Frank P. Leonard	8027
Frank Shilling	9112
Frank Montini	8373
D. O. Ruegsegger	7750
Frank Wazlavek	8056
Otto Mitzel	8287
Herman O. Breknone	8184
Harry C. Wallace	7727
Wm. R. Ivins	7506
John Gravis	7638
C. E. Byerly	7887
Roger L. McGinnis	8217
(X) Ed. Grant	8268
Chas. Lucas	9116
Russell Smith	8231
Kenneth McGinnis	7916
Robert C. Ketter	8392
Ben Seward	8174
Robert D. Seward	8376

HOT MILL

Andrew Evans	7114
Robert C. Gruber	7690
Carl E. McFarland	8169
G. Tombow	8036
Clyde Christy	7707
John Temple	9114

John Kemp	6140
Robert Benson	7603
Robert Rosenberg	8369
S. E. Rosenberg	7919
Harry Breamer	7829
Geo. Wilhelm	7900
A. Updegraff	8312
H. Morland	9136
Stanley Evans	7857
Walter Wendling	6565
Charles Koch	7709
Per Lee Studer	7684
H. F. Gintz	7956
Harold Kurtzman	8117
F. L. Bryan	8126
Mike Evesnovich	4317
A. A. McGinnis	7720
Olex Diok	4362
Ormonde Williams	7854

HOT MILL

George Geckler	8348
C. L. Pifer	7897
Clyde Wenger	9121
C. G. Harig	8332
N. Hill	8021
W. Burkhart	7753
Jno. H. Voss	7939
Warren Dritke	8026
A. L. Gray	8023
Harry E. Rankin	7889
Harry B. Lunnon	7722
Paul Hruin	9127
John F. Bowers	4339
Lorin Hammer	7704

A. J. Werstler	8300
Joe J. Kocher	4371
James Hartley	9163
Frank Wantz	9124
J. E. Stansberger	9132
Harry Correll	7694
Nick Cernra	8128
Ellsworth Small	8143
Sam Gahn	7693
Sam Jhona	7865

HOT MILL

Geo. Sibalich	7623
Ray C. Seck	7953
Wm. Schmidler	7517
Lowell Hornberger	7995
Gahl Bucksburg	8389
R. S. Lash	7821
W. Boikel	7910
R. Hill	7822
I. Charnsly	4347
A. A. Fowler	8295
F. A. Maurer	8165
H. Pahlan	7665
R. J. Shaw	4357
A. Usklander	8063
Wm. Baker	8114
Earl Boughman	6019
Harold Thornberry	
R. Kraft	8108

HOT MILL

Glenn Stoner	8493
G. W. Eckroate	8365

SHEET MILL—HOT MILL—SHEARING—OPENING BREAKDOWN PICKLING

Harry Slayman	8251
J. F. Levengood	8315
Dale Ruegsegger	7868
David Hartline	7655
Nicholas Santarelli	7948
Thomas Burkett	9145
David A. Lewis	7115
Chas. H. Clark	7907
W. S. Harrold	7787
Wm. T. Wyles	7943
Wm. Harry Snyder	9103
George C. Heasley	7730
Willie Rogers	6405
Ernest Smith	8191
James Lewis	7575
W. N. Hallinger	7117
Sam S. Sarge	7876
Clarence D. Shanower	7564
Fred Halloway	4330
John M. Mitchell	7562
Robert Harper	8227
Bub Hourtl	8029
Thomas J. Francis	8256
James H. Watkins	8346
William L. Goudy	8354

SHEET MILL—HOT MILL—SHEARING—OPENING BREAKDOWN PICKLING

Earl Kuling	6802
Virgil Homberger	7843
Wm. Kryder	8104

Arthur H. Kemp	7834
Harvey Carl	8091
Fred Goodman	8066
E. R. Bailey	7898
Steve Buze	7888
H. R. Bright	7116
W. P. Doyle	8492
O. C. Stitz	8307
J. B. Thomas	8204
C. Ebbest	7891
S. Brockway	8223
D. Ketler	8320
F. C. Biddle	7711
Ralph Horst	7975
L. E. Hayes	7803
C. L. Kraus	7759
L. Books	7932
J. T. Holben, Jr.	7524
Chits Whie	7572

SHEET MILL—HOT MILL—SHEARING—OPENING BREAKDOWN PICKLING

Herman Voss, Jr., 839 16th N. E.	8137
R. D. Seward	7706
Walter Smith	7971
Otto Rauschenbach	7913
D. R. Ruegsegger	7925
Archie C. Bair	7994
W. L. Smith	8276
Edward C. Young	8001
James Kennedy	7979
Kenneth L. Bright	8280
Ray H. Grandstaff	7801

Oliver Santarelli	8313
H. L. Ridgley, Sr.	8179
C. E. Stueley	7988
Thos. W. Kimmis	7963
A. Maurer	7884
Joe Rell	7774
G. S. Sepler, Sr.	8250
Geo. Sepler	8301
Gilbert Septer, Jr.	7848
J. M. Rankins	7985
Russell Studer	8396
Wm. B. Meese	8078
Russell O. Funk	8006

HOT MILL

Frank Dowd	8393
C. H. Stitt	8041
Doyle Manson	7928

HOT MILL—OPENING & SHEARING—PICKLING

Leo Yob	8214
F. Henkhafer	8246
R. Hartmann	8057
N. Lynn	6475
Earnest Brice	6545
C. Bryce	7968
Walter Krug	8397
T. Smith	8072
Thomas Smith	7778
Harry Graybill	4323
Alex Wood	7537

E. F. Keller	7503
I. B. Ammon	7616
Paul E. Isler	7696
John Uruin	7516
Alfred Hoffman	7721
Thomas Hill	7978
Thomas Hodge	7984
Floyd Austin	7656
Andy Durensky	8186
W. J. Silvis	7734

HOT MILL—SHEARING—OPENING—PICKLING

Byron Wurtz	7961
Robert Lloyd	6478
W. M. Bugh	8201
Richard Watkins	6371
Alf Dremit	7528
W. Beitzel	7618
Clyde Kruger	7613
Oliver Shilling	7526
T. W. Hardesty	7927
Jesse Bunst	6531
Emmett Trat	7626
L. H. Baldwin	7810
Ed. Bryant	6382
Lonnie Gambe	6409
Albert Keller	6407
Wm. Neal	7892
V. H. Neal	8046
Omer Neal	8171
Joe Bursey	8278
D. C. Cunningham	6592

HOT MILLS

Frank Eberhardt	8211

G. Miller
Asa Brown

HOT MILL

Andrew Webb
Brice Love
O. Sibila
H. Stett
R. Kraus
C. F. Hardman
Dale Kreiger
L. C. Sweitzer
A. L. Stanford
A. Riber
Ernest Brown
Joe Manhart
L. B. Schall
J. Roll
C. Schindler
L. Barnes 4331
Chas. H. Moyer
Charles Bixler
Floyd W. Burkett
Chas. Smith
Darwin Smith
M. H. Hodgson 4112
Joe Wazlavek

HOT MILL

Andy Botskner
Edward Eberhardt
William M. Truby
Earl H. Truby
Chas. Rutter
D. A. Anderson
Robert Brehme
C. H. Clark

A. Nussbaum	8360
John Thiel	8004
Nick Thiel	8062
Ralph Dycus	8350
Frank Ertle	7878
Peter Heintz	7940
R. Schuyhart	7852
Wm. Keller	8391
Robert R. Studer	7683
George J. Lutz	8047
Archie D. Ferguson	7872

MISC.

Raymond Cunningham	8178	Hot Mill
John Phillips	8820	Andurs
Edw. Brunyansky	8855	Enduro
Charles Brunyansky	675	Labor Mason
Walter Wilhilm	8358	Hot Mill
Frank W. Slodavic	658	Union Drawn
Arthur Foltz	174	Open Hearth
Gerald Nickels	934	Bloomer
John Sladavic	658	Union Drawn
Ed Lustig	6261	Office
Lester S. Nemeth	210	Union Drawn
G. W. Nemeth	264	Union Drawn

SHEET MILL—COLD ROLLS

T. C. Davis	6695
Wm. Finger	6655
Karl Sturz	6620
H. Mungo	6658
Geo. Colaner	5911

COLD ROLL—SHEET MILL

William Pledgure	7589
Earl McLaughlin	6652
Melvin Ryder	6659

7911
8257

8043
7724
7885
7908
8150
7705
7581
7820
7999
8048
6394
7653
7710
7579
7587
Electrical
7701
atcher H. M.
7788
7922
8390
Craneman
7883

9147
7877
7902
7972
8203
7895
8344
8372

SHEET MILL—COLD ROLLS

Carl Dague	6629
John Zusten	6641
Homer E. Coburn	7602

COLD ROLLS—SHEET MILL

A. A. Bechtel	—
R. E. Paxton	6622
H. J. Hose	6702
Lee Garner	6694
Paul J. Harper	6646

SHEET MILL—COLD ROLLS

Ernest Edil	6719
John Winston	6604
Raymond L. Strecker	6730
John H. Rohs	6631
Worthy Morton	6612
R. A. Crofut	6607
Joe Druk	6626
George J. Finger	6621
Martin Konerth	6776
Harry Sylvis	6625
Jas. G. Cook	6680
H. R. Davis	7108
Robert Davis	6690
Wilfred Ruemonele	6726
C. Stub	5953
Jack McLaughlin	6606
James A. Morse	4964
Fred J. Wilhelm	6799
Walt Wilhelm	6665
Vince Harper	6619

SHEET MILL—COLD ROLLS

Harry Stilgenbauer	6657

W. R. Snodgrass 6637
V. W. Grimes 6664
Nick Upperring 7270

BAR YARD July 2

BAR YARD Total—34

(X) Louis Haggins 7273
John Dixon 7239
Thomas Tobe 7271
Walter Hill 7259

SHEET MILL—BAR YARD

George Jefferson 7280
Thos. J. Dillon 4301
George Copton 7222
Thomas Prissell 7216
Lorenz Mitchell 7275
George Pierce 6397
Arvie Autrey 7279
Wm. Bogovich 7277
Lemly Gamble 7225
August Schultz 7209
Sidney Anderson 7577 Opening and Shearing
Wap Bailey 7298

SHEET MILL—BAR YARD

James W. Butler 7261
Jim Hogans 7249
Romie Arlington 7278
Edward Foles 7290
Lessie Dorairghon 7286
Ralph B. Walsh 7293
John Hopple 7253
Benny Smith 7223
John H. Jackson 7264

Preston Davis	7295
Wole Alexson	7268
John E. Lonas	7212
George Dommer	7205
Cap Mzon	4328
Less Foles	7260
Wm. Farrin	7202

BAR YARD

Gottlieb E. Dommer	7231
Shellie Wood	7211

BOX ANNEAL — PICKLER — NORMALIZER — INSPECTION July 2

Lennie Larseul	6436
Gilbert Scott	7463
Martin Burger	7432
Maurice Boswell	7480
John Pellerin	6552
Charles Gadd	7494
Robert DeVaughn	6576
Genie Mclorn	6398
Herbert Flower (X)	6528
Dale H. Wilford	7443
Ralph R. Gardner	7491
Eugene Johnson	6523

BOX ANNEAL — PICKLING — NORMALIZER — INSPECTION July 2

T. Johnson (X)	6416
R. Appleby	6980
Earl Bonenberger	6888
John Ferionsc	6777
Fred Swank	7458
Wm. Heintz (X)	7049
Walter Smith	6847

Otto Klein 7424
George Rearick 7485
Harry Wiskofske 7348
E. Atkinson 7404
W. Richardson 6446

BOX ANNEAL — PICKLING -- NORMALIZER — INSPECTION

Herbert J. Kuntz 6510
Thomas Solinger 7309
Howard Rush 7409
Ray E. Henry 7104
Clarence Mullett 6931
Michael Heintz 7079

SHEET MILL—ANNEALING & PICKLING

James Hardy 6491
Samuel Williams 7434
John Montgomery 7336
H. E. Hively 4313
Will Scott 6411
Jesse Pearsall 6473
O. W. Hammer 6603
Howard Scott 6373
Wilbert Colman 6440
Arthur Underwood 6526
J. T. Robinson 6414
C. Lewis 7460
Peter Zeh 7466
Henry Leibermann

SHEET MILL—ANNEALING & INSPECTION & PICKLING

Chester Dorsey 6499
George Besch 6549
John Smith 6423

S. G. Moffett	7484
Bedie Thompson	6559
Wm. L. Jones	6493
Commodore White	6366
Harry Wyre	7014
Paul Keller	6533
William Lewis (X)	6426
Willie Miller	6372
Norman Chanlin	6433
Roger Mudel	6551
Frank Kanenbauer	6973
Richard Johnson	6456
Henry Lieberman Jr.	
Fred Brown	6354
Will Benson	6388
Ralph Henderson	4318
Willie Adelin	6376

SHEET MILL—ANNEALING—INSPECTION & PICKLING

James Bordeis	6514
Johnnie Stacks	6522
Jim Jones	6582
S. Poseneitt	6462
Frank Cline	7478
Grayson W. Greenhoe	7418
James Williams	6578
John Plotz	7316
X Nolie Thrasher	6587
Joe Mertes	7317
Frank Rohrer	6455

SHEET MILL—ANNEALING—INSPECTION—PICKLING

BAR YARD

Jackson Moody	6384

Respondent's Exhibit No. 15 5951

Freddie Bray	6531
Daniel Jerrnan	6947
Edw N. Timmi	6862
H. M. Fox	7120
C. L. Luke	7329
Frank Letcavits	7074
William Hindley Jr.	
Arthur J. Greenwald	6974
Charlie Lewis	6539
Edw. Armitage	6960
Ralph Scott	6535
Samuel McQueen	6546
John Williams	6560
Harvey Fisher	6532
N. Chamlin	6563
C. Finley	7425
E. D. Woods	7243
Edd Grier	6541
Merlin Thomas	6932
Emmett G. Ertle	6834

SHEET MILL—ANNEALING—INSPECTION & PICKLING

Lou Whiscentt	6568
Eligh Stryhmer	6586
Troy Joiner	6507
Carl Wozlavek	7026
George Zablo	6933
Vincent Halter	6937
Clyde Eberhardt	7402
George Johnson	6448
Roy C. Darlington	6392

SHEET FINISHING July 2

Geo. Rochlig	6993
Merrill Burch	6838

Carl Prunty	6602
Russel Johnson	6814
Ed Wenzel	6910
Rudy Loch	6682
A. Moore	7019
V. Wilhelm	6860

SHEET FINISHING July 2

Carl Herman	6836
Bertsel Hardesty	6970
Edward Grim	7020
Howard Fidler	6983
John Chovan	6873
Howard Mullett	6914
Frank Costell	4314
Delmar Indorf	8183

SHEET FINISHING

Geo. H. Myers	6925
Neal Limbach	6908
Willard Dewalt	6883
Mike Evans	6863
John Bednar	6887
Roy Coss	6850

SHEET MILL FINISHING

John Chelse	6845
Charles W. Barr	6810
Glenn Price	6859
Onoly Profont	6990
Albert Appleby	6959
Godfrey F. Bruegger	7427
Walter Steele	7054
Charles John Bamauster	6844
Dale Nydegger	6809
Floyd Shanklin	8245

Respondent's Exhibit No. 15 5953

A. H. Karros 7069
Sam Krubik 6889
Mike Profont 7025
O. V. Seifert 6954
Henry Sandy 6945
Joe Grim 7075
Mike Profont 6975
Mike Yusko 6919
Laird Christian 6868
Geo. Lehman

SHEET MILL—FINISHING

Ellsworth Studer 7002
L. P. Donant 6969
George Vogel 7005
Loyd Whitmore 6942
Carl Ace Jr. 7016
Glenn Covell 6852
Joe Wyles 6893
Ralph F. Close 7007
Fred Close 7086
Cal Roup 6938
E. M. Kulyoske 6989
James Getz 6829
Arthur Ress 6865
James McGinnis 7875
R. G. Zivick 7099
Charles W. Wilson 6994
Charles Wetzel 7098
Keith Miller 6946

SHEET MILL—FINISHING

J. H. Amon 6945
Mike Socho 6832
Charles F. Filler 6806
Harold S. Urban 7031

Samuel Urban	6903
George Wagoner	6992
Earl Wagoner	6924
Harry Arnold	6971
Wm. E. Reed	7060
Roy Bingle	7071
Joe Hershberger	8357
Chas. Ferguson	7006
W. G. Walter	7061
Dan Conklin	6902
Christ A. Fisher	6811
Harold Hoffee	6918
James E. Scott	6905
George Kimpein Jr.	6813
Robert Wentzel	6930
Bruce Clove	6956
John Gravins	7044
Chas. C. Chase	7107
James Harper	6853

SHEET MILL—FINISHING

Clarence S. Miller	6936
Joseph M. Glassen	6982

TRANSPORTATION

J. Baus Jr.	9198
L. A. Watson	5490
Mike Dobros (X)	
Ralph Kuhn	6025
Paul Blosfield	5774
Andrew Pushon	9191
H. Baltzer	5344
J. R. Richmond	5309
Leo Engel	6017
W. T. Williams	5366
Lee Ramense	5319

Respondent's Exhibit No. 15 5955

TRANSPORTATION

Mr. James Brogden	#5480
Mr. Glen Skipbaugh	5329
Mr. Marion Plunk	5714
Thomas J. Vaughn	6073
Mr. D. E. Hawk	5414
John Hoffman	5753

TRANSPORTATION

John C. Margan	5442
George W. Sheffler	5317
John Whitmer	5708
John Chovan Jr.	6035
P. E. Phillips	6044

TRANSPORTATION

Christ Valhmer	5487
Floyd Weldon	5476
E. P. Stiefel	5432
D. A. Burkhart	5479
E. F. List	5473
Jim Vidmich	6018
John Sheaver	5466
Perry Wusgarber	5214
James Martin	6162
Michael Minks	5402
Henry S. Sommers	5304
Leo Gickler	5465
W. L. Grier	5316
Jozef Krimpel	6013
Ross R. Forrest	5301
Sam Yuksy	5855

TRANSPORTATION

Walter Eisenbrei	5369

Stanley Class
Neim Suleman
R. Shanabook
Arthur Manweiler
Glenn Rink
W. H. Wingert
Felix Moore
Jos. France
George Johnston
N. Palmaro
John Kenny
Geo. B. Law
H. G. Mason
W. Hodgson

TRANSPORTATION

Russell F. Shipbaugh
Harry Snyder
Geo. MacKenzie
Chas. Lease
Claude Julian
Harvey Mohler
Edward P. Reese
Raymond Wilkerson
Harry Salman
Warren Ertle
Morris Huffman
Stephan Talkash
Alpha Jennings
John B. Umbon
Horace T. Wertz
Charles Holt
Frank Lindsey
Geo. Houghton
Jesse Everett
H. C. Van Norte

5817 TRANSPORTATION

6053 Walter C. King	No. 5759
9193 Kenneth H. Guthrie	#6094
5447 John Norris	5303
5451 Warren Phillips	5429
5750 L. T. Cecil	5378
5311 Cy Weran	Sol
5349 H. Shanabrook	6063
5390 Ed Harrig	5435
5394 Louis E. Town	5343
5480 Giuseppe Meduri	6058
5351 Wm. Cleaver	5427
2058 John Swier	5310
5307 E. R. Getz	5450
J. W. Bullach	5498

5407 BLOWING MILLS & PIK.

5449	
5377 Harvey Noftsinger	4832
5305 Earl V. Himpelz	908
5448 Chas. L. Luttrell	3956
9190 H. L. Dunn	4153
5368 Milton W. Ritter	927
5428 Howard C. Paul	920
5314 Walter Dingler	904
5460 C. W. Rofer	#933

5439 BLOOMING MILL & PITS

5386	
5320 Frank Ross	902
6007 Harold K. Hartong	931
5365 Jim Hardy	4005
9199 George Bradley	4211
5359 Wm. Reynolds	840
5308 Carl E. Kirby	4198
5409 G. Burson	974
5484 M. J. Schwartz	929

Mr. J. I. Wells	946
L. M. Immel	913
Jos. P. Charlton	914
John W. Sungart	943
Ira M. Spangler	873
Melvin Trotter	928
Oliver P. Coombs	801
Harold Kline	941
Brud Marks	4801
F. R. Boli	937
Dale Davis	949
Marvin Koch	909
Sylvan Gerber	953

BLOOMING MILLS & PITS

Ralph J. Lewis	846
Philip Chelse	1663
Glenn McConnaughey	4230
William Ribley	1475
Floyd Hemperly	836
R. H. Shoemaker	4857
Fred H. Keen	886
Millian Norris	4811
Clyde Matline	881

BLOOMING MILLS & PITS

Ojeo Comsa	811
Emmet Riordan	3935
Joe H. Smith	#942
J. A. Freed	3907
John L. Derflinger	944
Louis Thomas	824
Jack Gonder	938
H. C. Gonder	841
Geo. L. Whiteker	905
Walter K. Gesaman	888

Emil Schindler	915
Walter Holt	910
A. T. Gillespy	4064

BLOOMING MILL & PITS

Amos L. Bartd	876
Herman V. Hay	896
Ed Allman	#885

OPEN HEARTH July 2

Glen Bash	#53
C. P. Craven	#11
Joe Alex	161
Peter Mayfield	33
Robt. F. Shanklin	435
A. Swier	25
P. L. Bock	131
Orth E. Smith	543
Nick Medved	401
Ernest P. Poth	404
Donald W. Spangler	4883
Paul Karrenbauer	387
William Weick	71
Carl C. Runser	535
Clifford Wilhelm	365
Walter Zumbrum	4239

OPEN HEARTH

Hubert B. Clark	#15

OPEN HEARTH

Wm. Franklin	388
Fred Gere	186
Andy Kazor	287
Robert Dorontiel	248
Leo A. Schneider	4129

Mike Heber		27
Alf Cameron		4142
Vincent Zucha.o		3997
F. W. Wilford		5281
C. Large		58
Frank Honicka		94
Charles McCullough Jr.		4237
Paul Snyder		4235
Walter F. Myers		524
Frank Heyard		42
C. F. Price		
Donald Simon		509
Cornelius Berg		154

OPEN HEARTH

John Nemeth		288
Louis Antonolle		372
Bert Adams		558
Herb Yutzy		108
Hestor St. Croix		72
Raymond Frost	5713	Pool Gang
Wm. Swartz		4019
Marvin Wertz		5293
William Gumpp		197
Ned Neumeistra		4292
Etem Regep		706
Fred Hasler		4880
Duane Frantz		4869
W. R. Hoyman		4862
O. R. Boughman		4837
D. Mathews		4802
J. Simler		4881
James O. Krough Jr.		217
Robert Ray		363
Wm. Dean		4876
C. Govenco		228

OPEN HEARTH

Dock A. Newcomb	4884
Harry Geaber	173
Geo. Geibel	555
Chas. Perdew	99
John Beech	
Howard Hershey	254
John Joyce	4072
Rees Price	104
Fred W. Gumpp	189
W. G. Bash	4867
Ed A. Gillis	3955
R. Thackwell	215
David O'Brien	450
David Weigand	4004
Arthur Fox	556
Jay H. Price	362
Leonard Kozelik	156
Glenn J. Eberly	566
Charles H. Swarm	576
Harry Baldwin	4001

OPEN HEARTH

Jim George	671
C. V. Clark	196
Ralph Tracy	5832
Jacob Hoover	5818
Mike Wagner	5875
Charles Marsh	178
Henry Polhamus	5289
Wesley Warnock	4223
Edwin Wagner	4086
Thos. Anderson	4101
John P. Halblaul	240
R. D. Brugh	51

H. F. Craver	117
Wm. McNally	43
W. B. Epps	4128
N. Dimse	206
M. B. Hopes	4234

OPEN HEARTH

John Gabor	205
Clyde Tomas	537
Charles D. Clark	4879

STEEL DIVISION July 3

George Towlardorapy	3111	Billet Shed
Frank Colanrdo	1294	12 Mill
Paul Riordan	4833	18 Mill
Burdette Spangler	1251	12" Mill
Harry Eisenbrer	3950	18 Mill
Dennis F. Saurers	1735	Bar Finishing
Carl R. Gallagher	1723	Bar Finishing
Robert Repp	880	Bloomer
Wm. Slinger	6882	Stock room
David Diamond	3527	Chipper
Arthur Foltz	174	Open Hearth
Ed Davis	3844	Billet Shed
Arthur F. Geraghty	3940	18" Mill

OPEN HEARTH

Owen Keough	250
Paul C. McCracken	3920
James St. Clair	4044
Martin Gisel	3953
G. D. Hoffman	3998
H. Sneddon	559
L. Stranger	23
P. W. Streby	252
Mike Filka	200
Ronald W. Bailey	562

William Reese	327
C. H. Evans	35
Roy Kreiger	145
OPEN HEARTH	
Ernest Welsh	3934
George Gipp	209
Clarence Wiskofske	179
F. C. Drumguloh	46
Pat Joyce	13
William Parnacott	4138
Clarence Ertle	409
Arnold Rohr	436
Jesse D. White	3954
W. M. Rogers	21
Kenneth Snyder	561
Leroy Hetrick	262
C. H. Grayhill	78
David Schwartz	496
Irvin Sword	310
B. A. Roderick	930
John W. Fairless	514
Donald Dewalt	588
Fenwick Keller	370
BILLET SHEDS	
N. C. Fiscus	#2411
E. Burlingame	3672
V. Glucfiny	2481
Gabriel Chadjo	2795
BILLET SHEDS	
L. B. Johnson	2444
Al Regne	2582
Harry M. Horlye	2489
Harry O. Moone	2588
Ralph Eberly	2439

Raymond Rickey	3641
Nick Fosteris	2699
Jose Bermudez	2285
John A. Rouber	Sal
L. W. Garner	3607
Ralph Hartz	3732
Andrew Vogt	3730
E. B. Eberly	2490
Alfred A. Maurer	3675
Jacob M. Hain	3644
Sheridan Johnson	3663
Remadan Dewit	2905
J. C. Simpson	2476
A. W. Wolfe	3655
BILLET SHEDS	
Tony R. Stroh	3670
Arvine Stern	3680
Charles E. Barr	3688
Charles Latham	2450
J. Bonenberger	3604
Marvin Swartz	3646
Cristobal Romero	2893
Sidney Kowell	3738
Guss Blosfield	3743
John Zoeboe	2917
Theodore Gonz	2764
Charles Marlow	3695
Victor Alexander	2872
Gilbert Croft	3611
Mike Moxudick	3123
Tim Muska	2890
BILLET SHEDS	
Wm. F. Henderson	2495
Edmond Snodgrass	2414
Goest Katsaras	2303

M. J. Henderson	2498
Charles Grandstaff	3795
Harold J. McAllister	2523
Harold Weaver	3859
George T. Miller	2053
John R. Cheney	3674
R. B. Grounds	3710
Joe Kobello (X)	2462
Steve Vidmich	3813
Lysem Sait	3522
Ellis L. Moore	3776
Alfred Henze Jr	2469
R. Hanley Smith	2461
Mike Dorontich	3804
Roy Gutshall	3694
I. M. Bilderback	3658
Frank Sheppler	3690
Robert Mix	3770
Adrian Smith	3760
Robert Moser	3600

BILLET SHEDS

John Brugh	3735
Warren Reynolds	3792
George A. Young	3822
William Morton	2054
Russell B. Harrold	3828
Raymond M. Conhle	2420
Konstantinos Smith	3613
Myers Kalleker	2485
E. May	2419
A. C. Henze Sr.	2515
W. R. Sandison	2504
Paul Hershey	3706
Mike Loew	2501
James Weinrich	3657

Frank Zril	2496
Charley Dye	2431
Paul Hoffman	2491
Zla Kocpolas	2978
Sam Alek	2932
Knamalby	2777
Maurice O. Snyder	3773

BILLET SHEDS

Joseph Berbari	3726
John Bennett	3829
William R. Hershberger	2522
Roy Tucker	2510
Mike Matny	3412
Pete Maric	3165
Hannyak Moter	3234
Spiros Pappas	3116
Launa Games	3649
William Cleaver Jr.	2593
C. A. Quinn	3620
Alek John	2904
L. E. Miller	2518
C. Brownewell	2408
S. Stanford	3617
Thomas Gradijon	3713
Charles Henning	3653
Kugt Voyilo	2940

BILLET SHEDS

Francisco Moreno	2848
Richard M. Crofut	3673
George Theodosion	3462
Atlee L. Besancon	3749
Guss Marinakes	2827
Nuridni Gami	3762
George Mathis	2409

Matt Winski	3820
Rafael Ortz	3115
Verned Grant	3714

BILLET SHEDS

Emerson Martin	3778
Mike Takacs	2720
Arnold E. Backus	3666
Martin Schleis	3561
John Bargas	3710
Alvin Snyder	3637
David McCullough	3687
Harold Kerby	3796
Joe Alex	2636
Harold Eli Wertz	3677
Lauren Koser	3734
Alpha McDonald	3661
Robert Rosiles	3616
Clarence Bery	3785
Ralph Kuryen	3751
Joe Sofria	2237
Cono Barbera	2615
Joseph Volpe	3239
Eward Haas	3624
Mike Guzman	3114
Wilson H. Freisch	3684
Frank Galonska	3761
Joe Vinagre	2831
Ed M. Molinski	3728
R. F. Drake	2513
Roy Caldwell	2410
F. C. Johns	3625
Floyd Zorger	3660
Nordecchio Enrico	3305
Reyes Gueviero	3570
Neal Friend	3665

N. L. Schneider	361
J. M. Adams	378

BILLET SHEDS

Harold L. Rose	205
Teeci Ali	271
Robert Slinger	252
H. E. Hilbert	250
Carl Theken	366
Ralph G. Wagner, Jr.	376
Julius Broglio, Inspector	222
Joe Greca	306
Harold K. Baker	380
Ralph H. Holzbach	370
Maynard Doolittle	258
John Boomis	273
Manolis Janikis	268

BAR FINISHING—JULY 2

Cletus F. Martin	176
Lester D. Miller	171
Charles W. Alrich	172
John Lynch	173
Harry Schoenfeld	174

BAR FINISHING

Jesse Dayhuff	170
Delson I. Forrer	407
Domenick Fingrove	407
W. Smith	171
John M. Barkan	175
John W. Poth	417
H. Krumlauf	175

STEEL DIV.—JULY 3

DeWain Seese, Elect. Shop	470

Ralph E. Frank, Craneman 4204
Cash H. Iams, Billet Shed 3782
M. C. Oser, 18 Mill 1494
Peter Karrenbaier, Pipe Shop 4502
H. A. Grubb, 18" Mill 1532
Howard Shelt, 18" Mill 1471
Blake Shanklin, O. H. 253
Jerry W. Lanning, Inspection Dept. 2319
John Geraman, Craneman, Blooming Mill 4264
George Mavronoyos, Chipper 2901
George Paris, Chipper 3586
Arthur Neiss, Rigger Shop 5087
Archie Schwartz, Rigger 5065
Warren Eckroad, Rigger 4891
Dallas Jones, Rigger 4882
Clyde Kurtz, 18 inch Shipping 1180
Charles T. Collin, Open Hearth 163
Pete Lossis, Billet Sheds 3691
Charles M. Sheldon, Bloomer Mill 939
John Peters, Inspector 2238

BAR FINISHING

Nick Faierr 1741
R. C. Ludeny 1768
George Mohler 1794
Art Whitmore 1782
Melvin Shilling 1719
Henry Weire 1797
Edgar Simon 1769
Newton Kinney 1784
Frank Sylvis 1718
Russell Happoldt 1714
Olon Sandwith 1771
L. J. Loudiana 1751

BAR FINISHING

Donald Owens 1851

F. H. Rider	1715
Nicholas Snyder	1779
John E. Lind	1721
Joe C. Earhardt	1745
Edmund Blantz	1770
Clayton W. Beckler	1740

BAR FINISHING

Peorl Melvig	1755
R. B. Perry	1726
L. Konth	1774
J. C. Hodgson	1780

BAR FINISHING

Eugene Page	2345
Wm. Schoenfeld	1736
Harold Hogue	4206
Clarence McCauslin	1733

INSPECTION—BILLET SHEDS—JULY 2

G. L. Williams	2493
Jesse Lichliter	2263
Sylvester Laughlin	2269
Reed Moorhead	2274
H. R. Steiner	2421
Mchemest Lied	3645
Frank Lewis	2845
George Malles	3627
Maurice Hoffman	3678
Mike Sildes	2635
Steve Kovolich	3883
R. S. Steiner	3848
Kenneth Ries	3631
Clarence Hoffman	3634
Arthur Jones	2293

July 2, 1937

Respondent's Exhibit No. 15 5971

STEEL INSPECTION

Bill Moulos	2228
P. W. Vogt	2211
Pearl Campbell	2216
Nick Dano	2259

STEEL INSPECTION

Billet Shed Inspection—H. G. & Mill Inspectors

John C. Walsh	2298
Kenneth Theis	2246
A. E. Knowlton	2258
Thornton W. Hukill	2252
Raymond H. Davis	2297
R. J. Miller	2249
James Heasley	2257
Glenn Jones	2360
J. Kearn	2277
P. Welltich	2310
H. S. Cecil	2223
J. C. Steiner	2220
Chas. Kriger	2242
Muharem Halim	2272
P. J. Walter	2236
Ralph D. Shook	2234
Otto H. Maier	2226
Chas. Shoepelt	2209
Ray Barnes	2255
Paul R. Rider	2206
Louis Specogna	2268
Richard P. Fellmeth, Salary	2059

STEEL INSPECTION

Billet Shed Inspection—H. G. & Mill Inspectors

Robt. Hettlich	2306
Rolland Heskeet	2325

George Poppas	2273
L. Paulsen	2291
Lloyd C. Garvey	2212
Harry Smith	2324
James E. Taylor	2204
J. Featheringham	2351
H. Garrison	

STEEL INSPECTION

Billet Shed Inspection—H. & G. & Mill Inspectors

W. H. Longworth	2303
Manuel Lopez	2300
Roy Longworth	2322
John Hohneck	2215
Wm. Barnes	2213
Beshir Satedin	2217
Albert North	2231
John Dingler	2266
Richard Robinson	2247
Ali Regep	2275
Halil Nuri	2260
Erasmo Peres	2288
Jim Looman	2328
Glenn Paramore	2314
James L. Jordan	2210
Olan Sword	2222

12 MILL—JULY 2

John (X) Ksh	1205
H. L. White	1218
A. W. Pattinson	1307
Elmer Freytag	1296
Marquis L. Gant	1293
Walter Peters, 12 in. Mill, Phone 9547	1262
A. Featheringham, 1023 4th N. W., Canton, O.	1454
John Klett	1209

12″ MILL—JULY 2

John W. Dingler	1373
Wm. Haas	1260
Thomas Glutting	1235
Hoover Fenell	1268
Henry P. Sheridan	1278
Archie Cameron	3745
Roy Miller	4861
Howard Kemp	1295
Clyde W. Corell	1234

12″ MILL

Lewis Keith	1228
Eugene Shonk	1282
Tom Michael	1197
E. L. Canther	1211
H. W. Heasley	1169
Wm. Heasley	1227
Robert H. Ripple	1566
William Merryman	1215
Frank Holla	1232
Cal Malone	1252
Homer Brintzenhofe	1202
C. E. Darnell	1206
C. H. Reed	1225

12″ MILL

Perry Knerr	1104
Amos Wiese	1105
Edward Hippert	1567
R. M. Herrick	4167
F. W. Schafer	1217
H. G. Domer	1283
Fred Brethamer	1453
William H. Weinrich	1165
James P. Barrett	1349
Henry C. Wallenhurst	1238

12″ MILL	
LaVerne Staver	No. 12
Frank S. Huwig	No. 12
Stanley R. Rice	No. 12
12″ MILL	
Robert J. Arntz	12
Russell R. McCauley	16
Leo Russ	12
Lustig	12
E. R. Albright, Jr.	9
Garrett T. Henry	15
Ralph Longworth	11
18″ MILL—JULY 2	
William J. Roth	15
Joe Schaffner	41
Paul B. Manson	
M. F. Obright	11
William C. Johnss	11
Rudy S. Horst	15
Reed Moorhead	22
Virgil Bucklew	11
Geo. B. Ish	15
Earl A. Prime	11
Robert T. Snyder	15
18″ MILL	
Donald Griffiths	15
A. F. Kelley	14
Henry B. Cook	15
18″ MILL—JULY 2	
Ben R. Steele	11
Raymond E. Smith	11
Raymond C. Rudy	15
Lawrence Kovats	7
Albert S. Pond	15

Ed Porter	4069
T. J. Reese	1579
Ralph Young	4181
Arthur Sense	1582
Warren D. Duck	1184
Millard Gerber	1147
F. H. Davis	1485
Robert Wilhelm	1138
Francis M. Cain	1158
18" MILL	
Wm. Lang	4156
Thos. T. Price	1312
L. J. Tracy	1500
J. W. Williams	1516
Geo. Hoelzer	4176
R. Peach	4063
M. H. Martin	3928
Walter C. Kemp	1538
L. V. Shilling	1554
18" MILL	
Albert Bonk	1570
Otto Bonk	1460
Sam S. Swigart	1193
Dwight Miller	3904
William Myers, Jr.	4263
Arthur F. Weich	1573
Eugene F. Weich	1563
Edward W. Lewis	4121
Cliff Fries	1361
Carl Beiten Rer	1511
R. B. Herman	3936
18" MILL	
Arvine Swisher	1166
Frederick Myers	1142

James Eberhardt
Geo. Schmidt
Kenneth Foster
Elmer Laughlin
Harry L. Staley
C. Brun Kamp
Martin Fisher
Herbert P. Morgan
Robert Huddleston
Orvel Kerby
Martin Kloos
Nelson Elmore, Jr.
P. J. Barrett
W. R. Armstrong

18" MILL

Charles A. Ebbert
Earl C. Henderson
A. C. Fudge
C. K. Hoffman
D. R. Jones
F. C. Liddell
John Bartko
Charles Moorhead
John A. Welsh
H. E. Wehrle
Oscar Johnson
W. C. Lanning
Alex Greit
Ira Cass
Jas. McConnell
Harry Fisher
George Renie
A. L. Bremkamp
Don Young
Leo B. Harter

1101	Wi [illegible]rdan	1531
1542	W. R. Mandsville	1083
1572	Walter Miller	1185
1153	18″	
3999	David Shonk	1521
1574	W. M. Barron	3939
1682	Benjamin Thomas	1540
1093	Leo Herman	1117
1480	Frank Rinshaw	1559
1115	Andrew Miller	1498
2003	Arvine H. Myers	1552
1156	Joe J. Kolik	1123
1529	J. W. Johnston	1508
1474	Earl A. Miller	1452
	J. A. Bernhart	1149
	John Gamery	1164
1170	Charles Horwig	1130
1513	Emmet May	1656
1580	JULY 2	
2002		
1076	BLOOMING MILL & SOAKING PITS	
1377	Thomas B. Baker	4187
1107	Wm. Gardiner, Jr.	4848
1100	M. Gurkey	895
1374	Dawson Getz	923
1533	Robert Ries	889
1081	Harry E. Hess	919
4154	JULY 2—37	
1085		
1187	BLOOMING MILL & SOAKING PITS	
4046	James L. Dillon	940
4828	Howard Saurer	4893
1140	Joseph Zucharo	4141
1520	Fred Miller	970
3513	Frank Barnett	1568
1372	Byron Burd	916

COKE & BLAST FURNACE—JULY 2

Ralph Donaldson, Coke Plant	9782

BLAST & COKE PLANT—JULY 2

David Wertz	9733
Pat Butzer	9873

BLAST FURNACE & COKE

Harold N. Brugh	9874
Alex Ballenten	9302
Frank Phillips	9624
Fred Gulie	9434
Daniel Lucansky	9471

JULY 2

BLAST FURNACE & COKE

Wayne Albaught	9728
Ben Brumbaugh	9655
Maurice W. Meeting	9635
George Lipps	9637
Alvah C. Zimmer	9608
W. J. Switter	9810
B. B. Mathews	9846
Herman Stevens	9744
John Kosunic	9399
Glenn Browning	9601
Paul Barkly	9761
H. F. Maxwell	9520
Doyle Shanklin	9767
Wm. T. Jones	9866
Lloyd Morrow	9876
Otto Danick	9623
Limo Leskovac	9750
Frank Laps	9899

Respondent's Exhibit No. 15 5979

BLAST FCE. & COKE

Bennie Harper	9880
Wilbert Shilling	9426
Efford Rossiter	9613
Wylie Easterling	9602
Frank Flinn	9721
Vernon Saunders	4119
Nick Kovick	6002
Cecil Kearns	9603

BLAST FCE. & COKE OVENS

Leonard Flath	9107
John Pachuto	9331
Don Shattuck	9801
James Kerrigan	9785
Fred C. Schoen	9558
Charles Spicer, Sr.	9868
Chas. E. Smith	9662
Wm. Layton	9877
John Chalupka	9450
Maurice Plotner	9506
Theod. Jones	9717
Edward B. Ott	——
Stanko Maliziet	9341
Paul J. Rasch	9445
Rayfield Jackson	9991
George D. Beiter	9435
Robert R. Klinge, Chem. Lab.	9908
Leslie Poole	9743
James Green	9706
John Arrington	9777

BLAST FURNACE & COKE

Floyd J. Leighley	9427
Edwin Oser	9887

Leon Addy	9618
J. S. Gossett	2192
Charles L. Pence	9621
Charles W. Hatheway	9329
Nick Culjat	9788
J. D. Penman	9622
Harold E. Slocke	9851
Ford McCleskey	9726
Willard Berg	9885
Earl Stauffer	9628
Frank Ruchti	9729
E. L. Sylvester	9607
Joe Hoggon	9878

BLAST FURNACE & COKE

Peter Brown	9611
Danase Banks	9771
Neri Buggs	9799
Jimmie Bell	9718
C. L. Jameson	9649
Ralph Todd	9842
John Siegfried	
Henry Coffield	9711
Sam Bird	9766
S. J. McVeigh	9340
R. C. Cornish	9324
Geo. I. Ziegler	9881
Clyde W. Myers	9869
Vernon Kent	9867
Percy G. Anderson	9730
Samford Summers	9625

BLAST FCE. & COKE OVENS

Eugene D. C. McCants	9796
Vinco Cindrick	9440
Eddie Green	9753

Respondent's Exhibit No. 15 5981

C. M. Chessrown, Jr. 9541
Eugene Williams 9747
George T. Miller 9742
Vincent R. Stitz 9642
Chester Strine 9436
Maxwell Gardner 9882
Tom Howard 9707
Earl Eversole 9391
Albert Mock 9703
Willie Hogan 9737
Anderson Turner 9756
Willis Hall 9784
Delvin O. McClure 9626
Harry A. Brady 9638
Harry Hofman 9630
Wesley Adams 9725
Lewis Arnold 9712

MAINTENANCE—JULY 2

Sheldon Doll 4676
W. E. Hecler 3905
M. Moder 6042
John Brooks 4304
Chas. Melching 4196
Frank Phillips 5811
Howard Nichols 5210
Clayton Eckroad 4517
Mark Osborne, Jr. 5212
Charles Bennethum 5206
Willard Beal 5071
Harry E. Dill 5023
John Gardiner 5086
Theodore Gant 580
Frank L. Danahey 4137
Frank Dye 5280
LaVerne Rohr 657

Vincent Kiefer, Rigger	5040

MAINTENANCE—JULY 2

William Nevel, 2427 Lincoln Way E.	5363
Chester Knerr	5026
R. S. Hardgrove, Dalton, O.	4183
Bill Fisher	4806
Donald Gavin	4165
John Armour	563
Jay Weiford	4711
Lauchlan Bell, Mason	2088
Joseph Briceland	5013
Edward C. Regan	4110
Carl Hiltbrand, Canal Fulton	4653
Bop Cary	4703
Edward Beal, Navarre, O.	4159
Robert Dildine, Justice	5080
Dewey Goff	4277
Ray Boughman, Massillon	5083
Thomas Weaver, Massillon	4583
Clark Greenfilder, R. D. 3, Massillon	5057

MAINTENANCE

C. Zupp	5035
N. Cain	4220
Wm. Hunsta	5346
H. W. Diehl	5203
Chas. Tangenfeld	5018
Vicente Bermendez	669
Fred A. Meisienger	4680
Thomas Rictner	5238
N. W. Wells	608
T. P. Powers	4605
Earl Myers	3902
W. D. Risher	3901
Oscar Ertle	5010

Harvey Hodgson, Jr.	4157
John Williams	4186
Malcolm Bell	5091
Roy Diehl	4287
L. R. Brown	5004
G. H. Whelan	4700
Arthur Lamb	4669
W. C. Darnell	4161
Ray Beem	5660
Harry Schwagler	4677

MAINTENANCE

George B. Miller	4863
Wheeler Mazan	4083
Mark Osborne, Jr.	5212
Carl Hardesty	4144
Paul Shaw	4288
Frank Noble	723
Wm. Rhine	4206
Hobart Thornberry	5094
Clyde Thornberry	4125

MAINTENANCE

Joe Ellis	6031
E. E. Barkey	4665
Homer Wentzel	5626
William Simon	5653
A. S. Royce	4305
C. Gruetter	5207
T. Smith	4280
B. R. Hilson	4509
Frank Nussbaumer	5032
Tho. G. West	5288
B. F. Chance	9659
Joe Garrdiana	9131
M. H. Royer	4594

M. Osborn	5212
C. Benniethis	5206
C. Renar	4586
R. L. Blantz	2026
R. E. Gentzler	4245
Raymond Hollinger	4675
Josep Vargo	3946

MAINTENANCE

Rassellas Paxton	4590
Joe Ingler	5237
James Steiner	4232
Herbert L. Steiner	4048
Ray Buckland	4015
Ray Scott	9162
M. Carter	4582
Sal Selni	722
Ralph Walters	6301
John Class	5228
Herbert J. Reinley	3929
William A. Blair	4535
Clyde Richardson	5097
James M. Saunders	4685
Lester Collin	4684
H. W. Anderson	4501
A. Harris	7121
C. Perritt	9156
Harry Parnacott, Jr.	4079
Clarence Reidenbach	5740
J. S. Easterly	5085
James J. Ferguson	5005
Myron Adams	6327

MAINTENANCE

Ralph Beal	4213
William Morgan	4724

F. M. Swikart	4692
Ernest Wodtky	5229
Ardath Yeckler	5721
Clyde Kipfer	5030
Herman Slusser	4656
Robert J. Linn	4258
Fred Spidell	3912
Ted Saurer	5070
Wm. R. Sweet	2266
Vern Bettner	4276
Wm. Williams	5352
Wm. E. Gapp	4056
Fred Petrovich, Picket	5059
Miller Keith	4226
J. O. Palmer	602
H. Palmer	613
Dan Uhl	3913
John P. Brady	5068

MAINTENANCE

A. R. Define	5292
Walter S. Kawreneauer	621
Chali Harrison	663
C. Hattery	6008
Frank P. Oberlin	4192
Leroy Hase	4523
Dervain Seese	4705
Carl Mang	4823
Wm. J. Price	4721
Mike Kolich	5008
David Harris	5243
Albert Temple	5090
R. M. Snowlye	3910
Chester Adams	4150
Robert Steiner	4691
Ed Steiner	4662

John Sistock	5019
A. A. Knibbaim	4170
Chas. Eisenbrei	4803
Samuel Dunlap	5373
Herman Schloo	4663

MAINTENANCE

Frank Nemeth	5082
John Law	4587
Harold Peters	4268
Vern H. Halpin	3971
H. H. Harter	4654
A. Ricker	4699
Charles Daily	6064
Elmer Wetzel	6079
James Jones	9102
Lester L. Hare	3923
Howard J. Spees	9556
W. A. Richards	9891
J. S. Meininger	4682

MAINTENANCE

Chas Spicer, Jr.	4657
Harold Killen	4667
John Pitts	4016
John Snyder	4151
Frank Leighty	4228
Elmer S. Snyder	4697
W. T. Harris, Mason Dept.	651
A. J. Brown	4075
John Gaddis	5226
Robert Graybiel	4275
Thomas York	4222
W. A. Welling	9609
Victor Calin	4078
Walter Groff	5749

August Brenkamp	4805
Chas. Kruschenske	5231
Ralph Getz, Mason Dept.	709
Carter Stephan	5050
Fred Crone	5058
Russel Machan	4116
Howard Crone	5031
Telha Adem	698
John Petak	4373
MAINTENANCE	
Nick Linckenhely	4694
Wilbert Weirich	604
Frank Trenjan	4722
Wm. L. Nevel	4224
N. O. Lautzenhiser	4290
Ray F. Heberling	5246
K. Walter	4118
Clyde Thornberry	4125
Steve Alekevich	4102
L. A. Paroz	3919
Raleigh Conkle	4967
Al Mrolka	5099
Wm. F. Geis	4659
Edward Kuntz	5669
Frank A. Adair	4182
D. A. Moss	5392
D. J. Mitchell	5067
Donald Doney	4134
George Krajocch	5044
Aaron Davis	5278
Montim Camillo	5252
Jos. Leininger	5209
Ray Bonvalot	5631
MAINTENANCE	
Emil Sheppler	5279

Charles L Nill	4666
Frank Kreutzer	4585
S. E. Myers	4576
Frank A. Kracker	4595
W. E. McArdle	2623
J. C. Redd	4034
J. G. Smith	5208
W. S. Diehl	5204
Raymond Wentzel	5673
Wm. Maier	4678
Wm. O. McCollum	4674
E. W. Lewis	4121
John J. Feit	6307
Merle McGovern	645
Donald Leyman	4343
Kenneth Carroll	4299
Harold Wentzelt	4702
Frank Allen	9641
James L. Crisswell	2085
Nick Ros	3962
Llewellyn Miller	4504

OFFICE—JULY 2

Quentin Ott
Florence Kelleher
O. S. Spiker
C. J. Eschleman
J. R. Hartsoite

OFFICE—JULY 2

Marion Yost	9216
Cosie Schauer, 443 Wales Rd. N. E., City	216
John Pahlan	9224
Wallace T. Ross	2074
G. A. Krynock	2024
Geo. E. Croft	2025

Ralph Beiner	9209
N. A. Malone	161
H. Eckerson	
Lawrence D. Gerber	2028
Helen E. McQuillan	6290
OFFICE	
Lawrence Thwaite	9201
Jack Gramethauer	6264
Sylvis Zuercher	93
Wm. Griffiths	6306
L. J. Gang	154
D. L. Stoner	911
W. V. Arnold	114
R. Ballinger	6948
A. F. Maurer	418
H. L. Walters	100
F. H. Rohr	2052
OFFICE	
James Define	6364
H. O. Huberty	2040
L. H. Hazelbaker	6270
Betty Dedrick	17
Walter Evrit, Restaurant	I. J. Williams
A. W. Hannah	58
Chas. D. Scheff	9221
Ray Warstler	141
Lillian Tate	2021
Mildred Kowell	8
L. F. Milligan	156
Jos. E. McArdle	2069
Philip C. Krisher	70
Howard Everett	96
Catherine T. Warth	417
Vera Besancon	111
Maria Swaney	

OFFICE

Dorothy Howard
Eleanor L. Whitman
Harry M. Donecker
Norman L. Gotshall
Harold J. Smith
K. W. Shanower
P. H. Herr
F. I. Guilfoyle
C. G. Mee
G. C. Duerr
B. F. Reichenbach
Wm. D. Ott
Walter S. Hoot
R. K. Bailey
Lillian Lenz
Jennie Miller
Myrtle Blaser
Marguerite Wuertz
P. L. Hammer
Chas. P. Handlin
W. M. Wolfe
W. A. Hammerly
G. H. Stoner
Lorine Deer
Alvin Adams
Mae Mullally
Grace Bader
Reva Arnold
J. E. Shane
C. J. Harper
Thomas W. Fenton
P. M. Schultz
Miriam Kline
F. E. Siskop

F. J. Bailey
H. J. Uth
Grace Foster
Helen Kormos
Ruth M. Ellis
Virginia C. Fricker
Margaret H. Jones
Dorothy Creighton
R. J. McMahon
H. A. Grove
R. G. Strake
Howard E. Chanye
Harold E. Shanabrook
W. J. Buechling
Haskell R. Koons
A. J. Profant
Dan Profant
J. M. Krintwergh
Clay C. Fishi
Sheldon Fisher
Edward R. Bordner
Wm. D. Scribner
LaVon Law

OFFICE

John R. Hagan
B. R. Hagelbarger
Reason D. Pitcock
Lucille Thomas
Thos. B. Davies
Mildred Roseman
Cecilia Seifert
Mildred Gainey
Mary Regan
Roy R. Gatchel
Marie A. Meimer

John Meiner
Catherine C. Berg
B. V. Ramsay
W. C. Larker
Melvin F. Thomas
Jas. E. Johnston
Jas. W. Kennedy
Ralph E. Young
George V. Harvey
Victor M. Wetzel
Paul V. Eisenbier
J. E. Lewis, Jr.
J. A. Lewis
F. P. Goff
W. D. Howells
W. D. Penman
M. L. DeWitt
V. E. Fleming
Josephine Fishel
Helen E. Johnson
Lola Brownsberger
Starling P. Bahmer
Harry D. Santmyer
John P. Hamusley
Charles L. Riffen
N. C. Brown

OFFICE

Clarence Gonter	36
Earl Walter	65
F. R. Coughlin	6275
Harold E. Shanabrook	
Robert W. Coulter	9218

OFFICE

Frank L. Oberlin	2088

C. D. Slater	45
Agatha Shafer	Union Drawn
Loris L. Arnold, Salary	2047
Donald Simler	
Margaret Ress	6210
J. A. Weich	40
C. J. Raffath	20
R. F. Smith	155
Donald Henderson	———
Thelma Snyder	6205
C. W. Evans	———

MAIN. & MILL

OFFICE

R. W. Stoner	46
Arvine J. Simon, N. D.	34
G. C. Rush	90
Miss Dorothy Price	510
Earl Corbett	103
Frank McHugh	6299
E. D. Ott	122
A. M. Huber	6298
W. Oberlin	55
Wm. Steele	6283
Katherine E. Hoffee	528
Saml. J. Hoffee	425
T. M. Newton	6265
B. L. LeRoy	2075
H. W. Lockhart, U. D.	———
V. W. Shafer	7102
Ferd Mayer	6325
Esther Wagoner	93
Wilbur R. Reinvehl	120
Carl J. Blantz	2073
Angelyn Crecco	415

Helen Scott	127
OFFICE	
W. D. Hymes	140
Joseph J. Heib	2042
Ralph W. Daniels	42
Clarence H. Boule	2065
Edna Wagoner	125
G. W. Lindorf	150
L. McHenry, Storeroom	9251
Carl Latz	7047
J. B. McGonnaughy	2070
Jean M. Heysel	2045
O. L. Noftsinger	——
C. L. Krayer	8947
H. Bair	——
Earl Bordner	9203
Ivan Gallatin	9267
Fred Becker	2078
E. F. Camp	2076
E. E. Franklin	9210
M. E. Chaddock	9225
C. Mark Baetz	9206
Harry Paulus	9211
L. J. Pottoef	9205
OFFICE	
George L. Frews	
Raymond F. Ryan	4695
Robert Spangler	2050
C. D. Hoffman, phone Canton 4442 (Scavelli Gardens)	7058
Wilhelmina Mertes	2072
Myrna E. Gonter	2071
C. C. Kopp	7199
Vida Miller	531
Marvin Larson	6899

OFFICE

Theresa Cochenour, Telephone Ofc.	527
Ivan R. Stoner, Clerk	
Frank Swarm, Main Office	
Jacob Phalfer, Main Office	
Melvin Thomas, Main Office	
Jack Moffitt, Main Office	
Donald E. Dewalt, Main Office	
Ed Glutling, Main Office	
Floyd J. Weirich, Main Office	
Catherine Graybill, Main Office	
Alice L. Shepard, Main Office	
Carl W. Neumeyer, Enduro Office	9038
O. L. Siebold, Main Office	
Thomas Schmoder, Mill Office	2049
William Zupp, Mill Office	2051
L. E. Smith, Job Order	2030
Paul D. Pflug, Enduro Office	
J. M. Volzer, Metallurgical, 2-6373 (Canton)	
Perry Christie, Main Office	
Donald F. Linerode, Main Office, Pay Roll	118

OFFICE

W. J. Gorman	7076
H. Heffelfinger	474
William Raupt	6268
Harry A. Thompson	7119
R. W. Wood	2048
John Conrad	922
P. A. Vogt	80
M. S. Graben	39
R. J. Hillyer	136
H. J. Hollinger	7103
Robert A. Hughes	9226
John B. Walsh	119

J. A. Noaker	
Sadie C. Bright	132
Kathryn Hose	
William A. Steiner	
Lester A. Weise	9254
J. T. Cook	2027
W. B. Barclay	2195
H. McClelland	54
	29

OFFICE

Helen Wachtel	
Dolores Huwig	457
Lucy S. Burkett	15
Laverne E. Wetzel	6208
Grayce Miller	450
C. E. Stusser	———
Gordon F. Campbell	
V. J. Snodgrass	116-18
Chas. Hale, E. F. C.	116-23
	9207

OFFICE

Carl R. Antony	
John B. Ziegler	2046
John J. McArdle	932
Donald M. Denzer	2068
C. W. Gehrum	912
Dorothy B. Remley	
Robert N. Mang	414
	2057

ENDURO—JULY 2

Robert A. Williams	
Thomas Graybill	8681
James Norton	8892
J. Andrew Foster	5943
Ralph Evans	8953
Pete Petcoff	5995
	8605

Respondent's Exhibit No. 15

Albert J. Rhodes	5997
Edward Hartley	5997
Thomas Sturges	9068
Charles Legg	8823
Bramson Cunningham	8816
Ralph Wehlen	5658
	8607

ENDURO July 2, 1937

Walter Doll	
	8886

ENDURO

Michael W. Crone	
Chas. H. Stuffelbeam	8956
Clyde R. Ammond	8943
John Brady	8560
Per Lee Schmerle	8971
E. J. Friedrichsen	9004
James Nosis	4951
Harry Bleulee	9036
A. L. Simon	8843
Andrew Ivan	8831
Donald Ivan	8689
Wm. H. Myers	9016
P. L. Kaufman	9088
H. Detterlime	8934
Stanton Woods	8853
	8945

ENDURO

Robert S. Davis	
Ross Miller	9069
George Chapman	4970
Earl A. Mahaffey	3841
Herman Wentzel	8815
Paul Steiner	8936
Raymond Graef	8969
Edward Keller	9075
	9094

L. L. Summers	8526
J. W. Fringeli	9091
F. J. Kraft	8859
Alvin E. Garver	8916
Harry Kormos	8856
Wm. Paulus	5961
Robert Engel	8864
U. J. Grametbauer	9035
Clyde Havens	8900
Laurence Schludedar	
Per Lee Shilling	8748
John P. Young	8690
Wm. Merle Thomas	8890
Verner Stanbarger	9034
Frances Furby	
C. P. Houghton	4984

ENDURO

L. W. Myers	4074
Philip J. Krebs	9056
Cletus Ertle	4981
R. W. Farrar	5934
Erwin Reed	8905
Joe Ross	9095
B. J. Harper	9031
Wm. Saylor	8697
John Osthimer	8832
Geo. F. Moser	5986
Nelson Henderson	9007
R. Davis	5982
H. J. Close	9085
F. S. Bearkheimer	8977
Henry Weigand	
Homer Lawrence	8930
Walter E. Dretke	8801
Harold J. Sheppler	8836

Forrest Seese	5960
Rog Frederick	4975
R. M. Bahney	8528

ENDURO

Harold Burch	9083
Ralph Otto Hintz	9077
Earl Styer	8935
Wm. C. Geeber	8972
W. H. McAllister	8984
E. Bishop	8509
Walter Mix	8882
Otto Kulpgorske	8973
Homer Johns	8965
Richard C. Clark	8895
Wm. Tyrrell	8920
Peter Lanhart	9006
Lee E. Steider	8858
Wm. H. Dominick	8683
Jess Hollinger	5975
C. E. Mason	9080
N. R. Weise	8982
Maurice Hintz	9099
Louis Muzi	8960

ENDURO

Walter Happoldt	5923
Creed Sporks	8979
Samuel Shilling	8904
Russell Class	9081
John Huragus	5901
Alfred L. Dunn	8931
Allen Fath	8894
Paul J. Watkins	4025
Oren D. Welsh	8946
Leonard E. Mittner	4976

John Wilhelm	8849
Adolph Baker	8875
Floyd C. Oster	8966
George Adams	8986
Joseph Krempel Jr.	9098
Earl Sword	9060
Robert Lynn	5930
John Reidle	5948
Bill Sarmon	109
Otto Switter	8990

ENDURO

Jos. M. Gossett	8927
A. Kessel	8536
L. Reeves	4971
Harry Heim	8911
Robert Jones	8871
Walter Myers	8954
G. C. Corrigan	8554
D. M. Deringer	8640
C. E. Burns	5989
O. G. Krayer	8715

ENDURO

Horlan Messner	4954
Howard Featheringham	5967
Carl Dingler	8827
W. J. Van Ryzin	8869
Frank Foltz	8829
Ira McCanley	5973
H. C. Frederick	8672
Clarence Remark	4985
Howard Brinker	8791
Willard Brinker	8932
Delbert Akey	9071
John Kelleher	5950

John Wertz	8800
Myron Harris	9062
Dale Keefer	5940
W. J. Williams	8847
Harvey Tuning	8914
Arnold Wilhelm	9008
H. Q. Lawrence	8901

ENDURO

Leland J. Feller	8868
Maurice H. Sickman	9096
Carl Philabaum	9000
Joe Mrofka	9048
C. R. Smith	5915
Ed. G. Corbett	8854
L. E. Fierstos	5918
R. F. Martin	5970
Everett Morton	8978
G. B. Herncane	8834
Clarence L. Ertle	8996
Edw. Kozelek	5917
F. E. Wolfe	5963
Wm. H. Schott	8877
Paul Cope	9041
S. C. Tissot	9082
Wm. Copeland	9052
J. L. Renshaw	8874
C. E. Howard	5949
R. Dutton	5921
E. A. Grossklaus	4250
Ham Aeschlaph	8906
Waldo Baker	8888

ENDURO

John Herwig	5951	Cold Strip
Wilson Herwig	9079	Cold Strip

HOT STRIP

Sam. S. Larsan	8711
Wilson Bullach	4094
Harry F. Kohe	8735
Peter Gow	8523
R. C. Heiner	8644
John Ransom	8879
Theo. W. Lieber	4088
Jas. R. Walters	4225
Edward J. Halter	8784
John Biggs	9033

ENDURO—HOT STRIP July 2

Carl Hauser	9012
K. F. Konter	8926
H. J. Bucher	5974
H. C. Laing	5926
J. Miller	5904
James Ikins	4293
Arvine Ricosky	8789
Mr. Martin E. Walot Jr.	8714
L. W. Patrick	8620
Paul Sonnhalter	8710
Thomas H. Garrison	8909
Harry Braucher	4958
Roger Ketler	8805
Hale Null	9044
Bud Minger	8835
Elmer Smith	8919
Lawrence Baker	8987
Ray Stevens	8825
Ronald Wittman	8531

HOT STRIP

Edward C. Kinney	8504
Robert L. Button	8553

J. G. King	8501
John Gipp	8745
Lawrence J. Kennedy	8678
Curtis Ferguson	4209
V. L. Dutton	4216
Earl Dailey	5983
G. Bell	8761
Merle Williams	8524
R. H. Buchanan	8529
John F. Tyrrell	8563
Glenn Berg	8546

HOT STRIP

Harry Alexander	4195
Russel Philabaum	8674
Ray Dailey	9014
Dave Owens	8532
Carl Riordan	3952
Paul Hoffner Jr.	8708
Richard Lerch	8811
George Hukill	3650
Edward Brahm	4953
Eugene Gray	8821
Thomas Lennox	8542
Joe Brunk	4966
F. H. Daily	4960
Harold G. Moser	8557
Howard Williams	9019
Rowland Harrold	4260
Albert Greenfelder	8880
M. C. Corrigan	
Sheldon Lohr	8725
John Vanitz	4952

HOT STRIP

Glenn Reynolds	8727

RESPONDENT'S EXHIBIT NO. 16

THE CANTON CHAMBER OF COMMERCE

Canton, Ohio

To All Plant Employees of The Republic Steel Corporation And Its Subsidiaries in Canton:

It is not the business of the Canton Chamber of Commerce to take part in any industrial controversy but it cannot shrink from its duty to preserve the good name of the city of Canton and to use its influence on the side of law and order in this community and the protection of life and property.

The welfare of the employees of the Republic Steel Corporation and its subsidiaries, residing in Canton and vicinity, is of the greatest importance to all the citizens of Canton.

The Canton Chamber of Commerce therefore deems it desirable to learn by a secret vote directly from the employees of the Republic Steel Corporation whether they desire to go back to work or remain out on strike.

We are therefore, by this letter, asking a vote on this subject from each employee.

The secret ballot is at the bottom of this letter. Do not sign your name. Place an X after the line which expresses your wish. Put this letter in the enclosed envelope and drop it in a mail box at once. Your ballot must be in the hands of the Committee within 48 hours after you receive it. The vote will be counted by a Committee of Canton ministers and the result published in the newspapers.

Very truly yours,

THE CANTON CHAMBER OF COMMERCE.

May 31st, 1937.

MARK WITH [X]

[ ] YES—I vote to go back to work.

[ ] NO—I vote to stay out.

If you cannot vote either way, state why.

THE CITY OF DIVERSIFIED INDUSTRIES

RESPONDENT'S EXHIBIT NO. 17

Canton, Ohio, June 7, 1937.

We, the Committee, requested by the Canton Chamber of Commerce to count and tabulate the ballots in the secret vote of the employees of the Republic Steel Corporation conducted by the Canton Chamber of Commerce, having accepted this task as a civic duty, do hereby certify that the following is a true and correct report of the vote:

Total number of ballots mailed to employees (as established by affidavit)	6,465
Total number of ballots returned	3,888
Total number of ballots marked "Yes—I vote to go back to work"	3,633
Total number of ballots marked "No—I vote to stay out"	216
Total number of ballots marked "I cannot vote"	39

In addition to the official ballots, we found 2,516 returned ballots which in size, quality of the paper, in the character of the perforation ruling, did not conform to the official ballots, and therefore in fairness could not be considered.

O. O. Gnees.
P. Raffenberger.
Charles B. Latz.

RESPONDENT'S EXHIBIT NO. 18

REPUBLIC STEEL WORKERS

Now Working

You are riding a losing horse. The C. I. O. has gone into this fight with a record of having never lost a strike. Republic Steel will not break that record.

This strike is being supported financially by all steel workers in the United States. 300,000 workers will donate one day's pay each month to see us win.

Other C. I. O. unions in this vicinity are supporting us physically. These include Timken, Hercules, Hoover and others. Akron rubber workers will close down their plants to come here if needed.

Republic coal miners are being closed down. Longshoremen are refusing to load and unload Republic freight.

Twelve of seventeen Republic plants are closed down completely. 44,000 out of 52,000 workers are striking.

Our pickets are well-fed and happy. Relief is being arranged for their families. Four departments of the United States government are fighting on our side.

REPUBLIC STEEL CORP. CANNOT WIN!

Your wives and families are worried about you and need you.

YOUR COMING OUT MAY BE THE DECIDING FACTOR IN GETTING US ALL BACK TO WORK!

You are still welcome out here with us. Extra precautions will be taken throughout the next 12 hours to guarantee your safety in leaving the plant. After that time your safety will be your own responsibility.

(Union Label)

RESPONDENT'S EXHIBIT NO. 20

ELECTION BALLOT FOR EMPLOYEE REPRESENTATIVES

Notice to Voters

By using this ballot the voter approves the holding of Nominations and Elections as stated in the posted notice of this Election issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses the desire to be represented for collective bargaining and the other purposes stated in the notice, by Representatives elected under the Plan.

Directions to Voters

Place cross (X) in front of the name of the candidate or the name of each of the candidates whom you wish to elect as Representatives of your Department or Voting Division.

PLACE (X) BELOW

NAMES OF NOMINATED CANDIDATE OR CANDIDATES

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

VOTE FOR ONLY

If you vote for more your ballot will be VOID

Department or Voting Division

Date .....

RESPONDENT'S EXHIBIT NO. 21

NOTICE

REGULAR ANNUAL ELECTION PLAN OF EMPLOYEE REPRESENTATION

For

EMPLOYEE REPRESENTATIVES

For the Purpose of Collective Bargaining and Other Purposes Provided for Under the Plan

The Employees' Committee will Conduct Nominations and Elections as Stated Below. Nominations and Elections Shall be Held by Secret Ballot.

NOMINATIONS

Nominations for Employee Representatives will be held

Tuesday, June 9, 1936

Each qualified voter will be furnished at the polls with a ballot on which he may write the names of those individuals whom he desires to place in nomination.

The number to be nominated in each department will be stated on the ballot.

Those receiving the highest number of votes shall be declared nominated.

ELECTIONS

Elections for Employee Representatives will be held

Friday, June 12, 1936

Each qualified voter will be furnished a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall be declared elected as Employee Representatives. Nominees failing of election shall stand as alternates in the order of their vote.

All employees of the Company (except those in supervisory positions) who are enrolled on the Company's payrolls on the date fixed for nomination shall be entitled to vote.

Lists of those qualified to vote will be in possession of the Judges at the polls.

No Employee Representative or Nominee shall be eligible to serve on the Election Board within their own voting division.

The above regulations are in accordance with the Plan and those who desire so to choose their Representatives for such purposes should vote at the Nominations and Elections.

Nomination Polls Open

Notices will be posted Mon. June 8, 1936 in departments.

Election Polls Open

Notices will be posted Thur. June 11, 1936 in departments.

EMPLOYEES' COMMITTEE ON ELECTIONS

Arley A. Gathers

James M. Dunn

Grover C. Saugler

Joseph M. Cox

Carl W. Cline

RESPONDENT'S EXHIBIT NO. 22

APPLICATION FOR MEMBERSHIP

in

STEEL WORKERS UNION OF AMERICA

I hereby apply for membership in The Steel Workers Union of America and agree to be bound by the Temporary Declaration of Organization, and by the constitution and By Laws when adopted and pay the regular initiation fee of One Dollar, and authorize the Organization to bargain for me Collectively, relative to wages, hours, working conditions and other mutual aid or protection.

.....

Name

Date ..... 1937 .....

Address

.....

Witness Check Number Department

RESPONDENT'S EXHIBIT NO. 23

THE INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES

CONSTITUTION AND BY-LAWS

Office: 606 Dollar Bank Bldg.
Youngstown, Ohio

City Printing (Label) Youngstown

PREAMBLE

The Employees of the Republic Steel Corporation (Youngstown District) do hereby unite for the following purposes:

To create an independent, self-supporting, non-profit organization out of which an agency shall be provided with power to act and represent the membership collectively in all matters effecting the relationship of employer and employee;

To provide a forum in which the employees' agency may meet on equal terms with the employer to negotiate all matters involving labor grievances and disputes, hours of employment, condition of work, wages, and rates of pay;

To foster and encourage movements and programs of labor and practices fundamental to the friendly adjustment of industrial disputes to the end that economic losses to both industry and labor caused by strikes, lockouts and all cessation of work will be mitigated and eventually eliminated entirely;

To provide a medium for its members to give public

expression to all matters effecting their economic and social welfare in the corporation;

To establish reasonable rules and regulations in furthering and promoting equitable industrial conduct in the workers' relationship with his employer; to the end that avoidable losses in production and plant property shall be eliminated, and thereby fostering and maintaining a goodwill policy that shall challenge the respect and recognition of the corporation;

To encourage the practice and procedure of collective bargaining by protecting the worker in the exercise of full freedom of association, self-organization and the designation of representatives of their own choosing, in negotiating terms and conditions of employment with the Corporation.

Article I.

Name

Section 1. The name of the organization shall be THE INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES (Youngstown District).

Article II.

Membership

Section 1. Active Membership. Any employee on the payroll of the Corporation is eligible to membership excepting only those having authority to hire and fire in the Corporation. Any such employee having made application for membership and agreeing to subscribe and abide by the Preamble and the Constitution and By Laws of the Federation and paying the dues, shall be an active member of the Federation.

a. There shall be no discrimination to membership, or to eligibility for holding office, due to race, color or creed.

Section 2. Honorary Membership. The Board of Trustees is authorized and empowered to grant an honorary membership to any employee who, in the judgment of the Board of Trustees, has accomplished some outstanding or meritorious act in behalf of the cause of labor or conducted himself in an unusual manner in fostering and promoting the aims and purposes of the Federation.

a. Honorary members shall have all the rights of an active member, except he or she shall not hold office, vote or be required to pay dues.

Section 3. Disqualification of Members. Any member who either in action or in words, conducts himself in such a manner as to violate the spirit and purposes of the Federation, may be removed from membership.

a. All complaints of disqualification for membership shall be submitted to the membership Committee, who shall have power to act. In the event the Membership Committee act in favor of disqualification, any aggrieved member may take an appeal of the action of the Membership Committee to the Board of Trustees.

Action of disqualification against a member shall be given the member in writing by the Membership Committee. The appeal must be made within ten days after rendition of the opinion of the Membership Committee. The Board of Trustees shall make disposition of the appeal within twenty days after receipt of notice of appeal. Any member may take a final appeal from the Board of Trustees to the membership. A majority action of the membership shall be final.

b. Any member whose dues are in arrears thirty days shall be notified by the Recording Secretary, in writing.

Any member who fails to pay dues within thirty days after receipt of notice by the Recording Secretary shall be suspended from the rolls. The Board of Trustees, when in their judgment it is necessary, may grant extension to any member or members for payment of dues.

Article III.

Dues

Section 1. Dues. The monthly dues shall not exceed fifty cents per month.

a. When, in the judgment of the Board of Trustees, the treasury has sufficient funds to carry on the purpose of the organization, the Board of Trustees *shall reduce* the dues to such a fee as is only necessary to carry on the purposes and objects of the Federation.

Article IV.

Offices

Section 1. Names of Offices. The offices of the Federation shall consist of a President, three Vice Presidents, a Treasurer, Financial Secretary, Recording Secretary, eleven Trustees, a Sergeant-at-arms, thirty-four Spokesmen and thirty-four Alternates.

Section 2. Elected Officers. The President, three Vice Presidents, the Treasurer, the Financial Secretary, Sergeant-at-Arms, Spokesmen and Alternates, shall be elected by the employees at the annual election of the Federation.

Section 3. Appointed Officers. The eleven trustees shall be appointed by the joint action of the elected officers and the thirty-four Spokesmen within fifteen days after the annual election. Each elected officer and each Spokesman shall have an equal voice in the appointment of the eleven trustees.

Section 4. Board of Trustees. The elected officers and the Trustees shall be known as "The Board of Trustees."

Section 5. The Recording Secretary. The Recording Secretary shall be appointed from the membership by the Board of Trustees at their first regular meeting which shall take place not later than five days after the election, which meeting shall be called by the President. Upon the failure of the President to call a meeting, any three elected officials may call the meeting.

Section 6. Qualification for Holding Office. Only such employees who are American citizens and have been members of the Federation for at least one year prior to taking office in said Federation (the first year excepted) are eligible to hold office in the Federation, either elective or appointive.

a. It shall be compulsory for all officers to attend meetings of the Federation. Failure to attend meetings, without cause, is grounds for removal from office.

Section 7. Vacancies in Office. In the event of vacancy by death, resignation or otherwise, in the office of President, the First Vice President shall succeed to the office of President, the Second Vice President to that of First Vice President, and the Third Vice President to that of Second Vice President.

A vacancy in the office of Treasurer, Recording Secretary, Financial Secretary, Trustee, or Sergeant-at-arms shall be filled by the Board of Trustees and such appointee shall hold office until next annual election of the Federation or until their successors are duly elected and qualified.

Section 8. Duties of Officers.

a. President. The duties of the President shall be

those of the presiding officer of the Federation, he shall open and close all meetings when the Federation is in assembly, he may attend meetings of standing committees or other committees appointed by the Board of Trustees and may counsel with all committees but without a vote in the committee.

He shall perform such other duties as may be delegated to him by the Board of Trustees, or such duties as are generally exercised by a presiding officer of an organization; provided the same are not in conflict with the Constitution and By Laws of the Federation.

b. The Three Vice Presidents. The three Vice Presidents shall be directly responsible for the proper functioning of the standing committees and such other committees as may be appointed by the Board of Trustees. Upon completion of the organization by the Board of Trustees, the Board shall allot and designate a pro-rata share of the standing committees to each vice president, who shall be responsible for report on the activities of such committees allotted to him. The vice President's report shall be in addition to the report of the chairman of the committee. The Vice President shall have no vote in the committees allotted to him.

c. Treasurer. The Treasurer shall receive from the Financial Secretary all funds paid to the Federation and shall deposit the same in the official depository of the Federation, and shall disburse the same on order of the Board of Trustees. He shall countersign all checks. His accounts and books at all times be open to inspection of the members of the Board of Trustees and any authorized auditors. He shall keep an accurate account of the monies received and disbursed by him, and shall generally perform the duties as may be required of him as Treasurer by the Board of Trustees. He shall make a monthly report to the Board

of Trustees and make report of the financial condition of the Federation at the annual meetings. On the expiration of his term of office the Treasurer shall turn over to his successor or to the Board of Trustees, all money and property of the Federation in his hands. The Treasurer shall be under bond in the amount of not less than $10,000.00, and the premium for said bond shall be paid from the Treasury of Federation.

c. Financial Secretary. The Financial Secretary shall present all bills to the Board of Trustees for approval and shall sign all checks for their payment. He shall keep a record of the membership fees and dues and shall collect all funds due the Federation and shall promptly turn the same over to the Treasurer, taking the Treasurer's receipt therefor. He shall submit a report at the annual meeting of the Federation and at such other times as the Board of Trustees may require.

e. Sergeant-At-Arms. The sergeant-at-arms shall perform such duties as usually pertain to said office, and such other duties as may be delegated to him by the Board of Trustees.

f. Recording Secretary. The office of Recording Secretary shall be a full-time job. He shall be in charge of the offices of the Federation and do any and all things required of him by the Board of Trustees in carrying out the duties and purposes of the Federation.

Section 9. Nomination of Officers. Nominations for office of President, Vice President, Treasurer, Financial Secretary, Sergeant-at-Arms, Spokesman and Alternate, shall be effected in the following manner:

To qualify for nomination, a candidate for the following offices shall require the number of member signatures to a nomination petition to place his name on the election ballot:

President	500 members signatures
Vice President	400 members signatures
Treasurer	400 members signatures
Financial Secretary	400 members signatures
Sergeant-at-Arms	400 members signatures
Spokesman	100 members signatures or 50% of membership in department.
Alternate	100 members signatures or 50% of membership in department.

b. Nomination blanks shall be prepared and furnished free by the Board of Trustees to any member.

c. The nominating petitions shall be filed with the Recording Secretary on or before 8:00 P. M. of the third Tuesday of April of each year.

d. Within ten days after the closing date for nomination of officers, the Recording Secretary shall cause a public notice to be made of the date of the election for the elective offices of the Federation.

Section 10. Election of Officers. All names of members duly nominated in accordance with the Regulations for nomination, shall be placed upon an election ballot. Printed ballots and ballot boxes shall be furnished by the Board of Trustees.

a. The nominee member receiving the highest vote to the respective office to which he was nominated, shall be elected to office for a period of one year or until his successor is duly elected and qualified.

b. All officers of the Federation shall be eligible to succeed themselves.

Section 11. Oath of Office. Each officer of the Federation shall be required to take the following oath of office:

"I, (Name of Officer), do solemnly swear as (Name of office) of the Independent Federation of Republic Employees, that I shall administer the office to the best of my ability, will maintain, support and defend the Constitution of the United States of America and the Constitution and By Laws of the Independent Federation of Republic Employees, so help me God."

Section 12. Disqualification for Holding Office.

a. Any elected or appointed official of the Federation shall be disqualified from holding office upon his failure to qualify for membership, as set forth in Article II, Section 1.

b. Disqualification shall automatically cause a vacancy in the office.

Article V

The Board of Trustees

Section 1. Who Constitutes—General Powers. The Board of Trustees shall be the governing body of the Federation and shall meet at least once each month. It shall be fully responsible for carrying out the aims and purposes of the Federation as specifically set forth in the Preamble to the Constitution. It shall provide ways and means in contracting the proper officials of the Corporation, with reference to all matters of general policy, for bargaining collectively for and on behalf of the members, wage agreements, working hours, and working conditions, vacations and seniority rights. A majority of the Board of Trustees shall constitute a quorum.

Section 2. Board of Trustees has Temporary Authority to Increase or Decrease Departments between Elections. The Board of Trustees shall have authority between elections to adjust the plan of Plant representation

by Districts and subdivision of Districts by increasing or reducing the districts and subdivisions when in its judgment more equitable representation shall be obtained. The Board's action in this respect shall be ratified at the next meeting of the Federation before it shall be adopted as permanent.

Section 3. The Board without Power to Affiliate with Other Organizations. Election Necessary for Affiliation. The Board of Trustees are without authority to affiliate the Federation with any other organization without having submitted the matter to the members of the Federation and a secret ballot shall be had on the questions of such affiliation. It shall require not less than two-thirds (⅔) vote of the membership of the Federation in order to affiliate with some other organization.

Section 4. Compulsory Audit of Finances Semi-Annually by Certified Public Accountant. The Board of Trustees shall semi-annually cause an audit of the Records of the Finances of the Federation to be made by a certified public accountant.

a. Upon making written application to the Board of Trustees, any member of the Federation shall be entitled to an examination of the records of the Federation.

Article VI.

Plan of Representation

Section 1. Representation on Board of Trustees Corporation Plant Divided Into Districts—One Trustee Appointed From Each District. Any plan of a division of the Corporation's Plant for appointment of Trustees shall be guided by the following in consideration of the number of Trustees to be appointed to the Board of Trustees:

a. The procedure of handling complaints as provided by the Constitution and By-Laws;

b. The number of employees in the District;

c. The area over which the District is distributed;

d. That each District of the Corporation shall be represented on the Board of Trustees.

The plant of the Corporation is divided into the following Districts and one trustee shall be appointed to the Board of Trustees from each District:

District No. 1. Bessemer Plant (includes the following: Converting Mills—Soaking Pits—Blooming Mills—19 in. Mill—40 in. Mill—10 in. Mill—10 in. Skelp—Spike Factory).

District No. 2. Butt and Lap Tube (includes the entire B & L Tube Department).

District No. 3. Electric Weld Tube.

District No. 4. Bar Mills, Plate Mills and Blooming Mills.

District No. 5. Open Hearth and Masonry.

District No. 6. Blast Furnace and Coke Works.

District No. 7. Electric Department.

District No. 8. Mechanical Department.

District No. 9. Order and Shipping.

District No. 10. Transportation and Labor.

District No. 11. Accounting and Engineering.

Section 2. Representation for Departmental Grievances. Each District Subdivided—Each Subdivision Represented by Spokesman. There shall be elected at the annual election the number of Spokesmen and the number of Alternates from the following districts of the Corporation:

District No. 1

(Bessemer Plant)

	Spokesmen
Converting Mills	1
Soaking Pits, Blooming Mills, 19 in. Mill, 40 in. Mill	1
10 in. Mill, 10 in. skelp, spike factory	1
Inspection, Shipping, Chipping & Roll Turners	1

District No. 2

(Butt & Lap Tube)

Shipping Floor	1
Furnace Floor	1
Finishing Floor	1
Galvanizing and Socket Shop	1

District No. 3

(Electric Weld Tube)

Production Floor	1
Shipping Floor	1
Finishing Floor	1

District No. 4

(Bar Mills, Plate Mills and Blooming Mills)

	Spokesmen
Bar Mills, Shipping, Chipping and Inspection	1
Plate Mill and Roll Shop	1
Blooming Mill and Soaking Pits	1

District No. 5

(Open Hearth and Masonry)

Open Hearth	1
Masonry	1
Chemical and Physical Laboratories	1

District No. 6	
(Blast Furnace and Coke Works)	
Blast Furnace	1
Coke Works	1
District No. 7	
(Electric Department)	
Bessemer	1
Lansingville District	1
District No. 8	
(Mechanical Department)	
Bessemer	1
Coke Plant and Blast Furnace	1
Shops	
Carpenters and Painters	1
Machinists	1
Boiler Makers and Forge Shops	1
Narrow Gauge—Engineers and Brakemen	1
District No. 9	
(Order and Shipping)	
Tube Mills—Order, Shipping and Accounting	1
District No. 10	
(Transportation and Labor)	
Trainmen (includes Transportation offices)	1
Labor	1
Enginemen (engineers, firemen and hostlers)	1
District No. 11	
(Accouting and Engineering)	
Market Street Accounting	1
Bessemer, Order and Shipping	1
Engineering	1
	34

Section 3. Duties of Spokesman—and Alternates.

a. It shall be the duty of the Spokesman to counsel and assist employees in his District in any and all complaints and grievances. He shall cause the complaints to be put in writing and on written forms as provided by the Board of Trustees (exhibit B). The spokesman shall be responsible for prosecuting the complaints or grievances as hereinafter set forth.

b. The Alternate shall vote in all meetings in the absence of the Spokesman and carry out the duties of the Spokesman. He shall have no vote when the Spokesman is present in the meeting, but otherwise shall have full power in absence of the Spokesman.

Section 4. Vacancies in Office of Spokesman or Alternate. In the event of a vacancy of a Spokesman for a Department, the Alternate shall succeed to the position of Spokesman. In case of vacancy of Alternate, the Board of Trustees, not later than one week after such vacancy shall occur, shall cause the same to be filled in the following manner:

The Board of Trustees shall select ten members from such Department who shall be empowered to fill the vacancy until the next annual election.

Section 5, Removal of Spokesman or Alternate. Any Spokesman or Alternate can be removed by 66% of the members in his Department petitioning the Board of Trustees in writing. (See also Art. IV, Sect. 12.)

Article VII.

Elections

Section 1. Time of Election. The election shall be held in the month of May of each year and shall be conducted by secret ballot. Election booths shall be estab-

lished in a vicinity near the entrances to the Corporation Plant. One ballot shall be furnished to each member of the Federation upon his entering the election booth. At the close of the election, ballots shall be sealed and then tabulated by an election committee appointed by the Board of Trustees.

Section 2. Election Under Supervision of Board of Trustees. The annual election shall be under the supervision of the Board of Trustees and conducted in a manner as to avoid undue influence or interference in the voter's right to cast a secret ballot.

Section 3. Complaints on Election—Recount, How Obtained. After the ballots have been tabulated, the Board of Trustees shall cause the ballots to be sealed in the ballot boxes and held for a period of ten days. During such ten-day period any aggrieved candidate may appeal his complaint, in writing, to the Board of Trustees. The Board of Trustees, upon good cause being shown, shall order a recount in the presence of the aggrieved candidate or his agents. In the event of the refusal of the Board of Trustees for a recount, a recount shall be obtained upon the signatures of 50% of the number of signatures necessary for the nomination of the particular office involved in the complaint, being filed with the Board of Trustees. In the event of a receipt of written notice by the Board of Trustees, within ten days after election, by the aggrieved candidate to take an appeal, the ballots shall be held by the Board of Trustees for a period of thirty days.

Section 4. Elected Officers.—Nominee Receiving Largest Number of Votes Elected. In the election of the offices of President, Vice President, Treasurer, Financial Secretary, Sergeant-at-Arms, the nominee receiving the highest number of votes shall be declared to be elected to the respective office to which nominated.

Section 5. Spokesman and Alternate—Candidate Receiving Largest Number Elected Spokesman—Second Largest Elected Alternate. In the election of Spokesman and Alternate, the Candidate receiving the highest number of votes shall be elected the Spokesman of the Department and the second highest shall be elected the Alternate.

Section 6. Rules and Regulations in Public Elections Shall Govern Unless Otherwise Provided. Except as otherwise herein provided, the rules and regulations in public elections shall prevail and shall be the course of conduct to pursue in the supervision of elections by the Board of Trustees.

Article VIII.

Committees

Section 1. Standing Committees. The following Standing Committees shall be appointed: (1) Ways and Means; (2) Safety First; (3) Membership and Attendance; (4) Publicity; (5) Sick and Memorial; (6) Finance; (7) Entertainment; (8) Recreation and Athletics; (9) Elections; (10) Constitution and By-Laws; (11) Complaints and Grievances.

Section 2. A District Trustee Appointed Chairman of a Standing Committee. Each Trustee appointed from the Plant Districts shall be assigned to the chairmanship of one Standing Committee. (Excepting Ways and Means Committee—See Art. VIII, Section 6,-1.) The Trustee shall be responsible for the proper functioning of the committee.

Section 3. How and By Whom Chairman of Standing Committee Appointed. The President, the Three Vice Presidents, the Treasurer, the Financial Secretary, and the Sergeant-at-Arms, shall appoint each appointed trustee to be the chairman of one Standing Committee.

Section 4. Board of Trustees Determine Number of Members of Committees. The Board of Trustees shall determine the number in each standing committee and special committees.

Section 5. Board of Trustees Authorized to Appoint Temporary Committees. The Board of Trustees shall be empowered to appoint such other committees as it may deem necessary to properly carry out the function and purposes of the Federation.

Section 6. Duties of the Standing Committees.

(1) Ways and Means.—The Ways and Means Committee shall be in charge of allocating complaints and grievances to the proper Standing Committee. It shall be the steering committee and consist of the three vice presidents; the treasurer; financial secretary; sergeant-at-arms; three appointed trustees selected by the president of the Federation, who shall also be the chairman of the committee. It shall have authority and power to assign any and all special work to anyone of the Standing Committees for consideration.

(2) Safety.—Recommendations for improving dangerous working conditions; complaints of violation of Safety-first rules and regulations, and all matters of a safety-first nature shall be in charge of the committee.

(3) Membership and Attendance.—The Membership Committee shall be in charge of building and maintaining the membership of the Federation and encouraging regular attendance of all members at meetings. It shall hear, receive and recommend to the Board of Trustees all charges and complaints of disqualification of members.

(4) Publicity.—The Committee on Publicity shall take charge of all matters emanating from the Federation and which shall require public notice.

(5) Sick and Memorial Committee.—All matters effecting sick and disabled members; visiting and delegating members to visit sick; aiding and assisting the families of deceased members in last rite services shall be assigned to the Sick and Memorial Committee.

(6) Finance Committee.—To provide ways and means of supporting and maintaining a sound financial condition of the Federation. Any and all promotion schemes and methods of raising money in any Plant Department or in the Federation must first be sanctioned by the Finance Committee and approved by the Board of Trustees.

(7) Entertainment.—The Committee on Entertainment shall provide ways and means for the members of the Federation to increase the laughs and reduce the frowns of the members.

(8) Recreation and Athletics.—The organization of athletics, competition, athletic contests, facilities for recreation, shall be encouraged and promoted among the members of the Federation. It shall be the duty of the Recreation and Athletic Committee to foster and promote programs to carry out this spirit.

(9) Elections.—The Election Committee shall be in charge of the "mechanics" of the annual election and the elections requiring a secret vote by the members of the Federation. It shall be in charge of complaints on elections. Recounts as provided in Art. VII, Sec. 3.

(10) Constitution and By-Laws.—All recommendations and changes in the Constitution and By-Laws of the Federation shall be in charge of the Constitution and By-Laws Committee. It shall also be charged with the duty of keeping the Federation informed on proposed legislation directly effecting problems of labor in the state and Federal legislative bodies. It shall from time to time make

reports to the Board of Trustees on its recommendations and suggestions.

(11) Complaints and Grievances.—The complaints and grievances received on written form from the Spokesman, with the exception of safety-first matters, shall be in charge of Complaints and Grievances Committee.

Article IX

Procedure in Handling Complaints

Section 1. Departmental Complaints and Grievances. The Board of Trustees shall prepare written forms for all members in filing complaints in their respective departments. The complaints shall be first taken to the Spokesman elected from each Department. It shall be the duty of the Spokesman to aid and assist the aggrieved employee in presenting the complaint to the Superintendent of the Department. The complaint shall be made out in quadruplicate, and one copy shall be sent to the Recording Secretary, one shall be retained by the Spokesman, one given to the Superintendent and one mailed to the Corporation Representative.

The Spokesman shall note on his copy the disposition of the complaint and mail the same to the Recording Secretary. In the event no final disposition has been made of the complaint by the Superintendent within fourteen days, the Spokesman shall immediately notify the Recording Secretary, who in turn shall forthwith submit the matter to the Board of Trustees.

The following procedure shall guide the Board of Trustees in the disposition of the subject matter:

It shall be assigned by the Committee on Ways and Means to the Committee having been organized to handle the particular subject; whose treatment, findings and re-

commendation must first be obtained before action shall be taken by the Board of Trustees.

All matters referred to the Committee shall be acted on promptly and a report of its action made to the Board of Trustees at the next regular meeting of the Board following the meeting in which it was assigned to a Committee.

Action of Committees shall be by majority vote, with the right of the minority to submit and have its report filed with the Recording Secretary.

Upon receipt of the Committee Report, the Board of Trustees shall either approve or disapprove the recommendation of the Committee.

The approval by the Board of Trustees of the Committee report shall be acted upon in the following manner. The Board of Trustees shall forthwith arrange for a conference with the executive officials of the Corporation and, without undue delay, present the finding and recommendation of the Federation.

The Board of Trustees by a majority vote, can relieve any committee from consideration of any matter assigned to the Committee, and call the subject for the attention and disposition of the Board as a whole or reassign it to another committee for prompt action and report.

Section 2. Disagreement on Major Policies. —In the event of disagreement between the Corporation and the Federation on matters effecting working conditions in general of the members, and major policies effecting industrial conditions, the Board of Trustees shall be guided by the following procedure:

1. There shall be no strike, lockout or cessation of

the work until every effort has been exhausted by the Board of Trustees to effect honorable settlement.

2. In the event of the failure of the Board of Trustees to effect a settlement which, in their judgment, is fair and equitable, then the Board of Trustees shall immediately call a meeting of the entire membership of the Federation. Notice shall be given to the membership of the time and place of such meeting, at which, the issues in dispute shall be presented to the Federation in assembly. The Board, after presenting the issues, shall invite the Corporation to present its cause, after which, the Corporation shall be excused from the assembly. A discussion on the issues shall be open to the assembly and opportunity given the members for expression on the differences between the Corporation and the Federation. The Board of Trustees thereafter shall cause a secret vote to be taken by those present in the assembly on whether to take a strike-vote. In the event that the assembly acts in the affirmative on the strike-vote, the Board of Trustees shall forthwith notify the management of the action of the assembly and they shall be given 24 hours for reconsideration of its action. In the event of the Corporation's failure to reconsider, the Board of Trustees shall forthwith prepare for an election on the question of whether to strike or not to strike. It shall require 51% of the membership of the Federation to call a strike.

The strike election shall be conducted in the same manner as election for officers.

In the event of a strike, the Board of Trustees shall appoint a committee to successfully prosecute the strike.

Article X.

Amendments

Section 1.—Proposing and Initiating Amendments.

a. Amendments to the Constitution and By-Laws may be proposed and initiated by a two-thirds vote of the spokesmen at any meeting called for such purpose and written notice having been first given to each Spokesman of the time, place and purpose of the meeting.

b. Amendments to the Constitution and By-Laws may be proposed and initiated by a two-thirds vote of the Board of Trustees at any meeting called for such purpose and written notice having been first given to each trustee of the time, place and purpose of the meeting.

Section 2. Adoption of Amendments. Any proposed amendment to the Constitution and By-Laws receiving favorable action by a two-thirds vote of the Spokesmen, as provided for in Article X, Section 1-a, or a two-thirds vote of the Board of Trustees, as provided for in Article X, Section 1-b, shall be submitted to the assembly at its next regular meeting for consideration and adoption. A two-thirds affirmative ballot of the members of the Federation shall be required for adoption of the proposed amendment.

EXHIBIT A.

Independent Federation of Republic Employees

Name..... Check No.....
Address..... Phone.....
Department..... Position.....
Age..... Years of Service.....

I hereby make application to membership of the Independent Federation of Republic Employees, and authorize said body to represent me in collective bargaining with my employer in all matters that cannot be settled by myself.

I also agree to abide by the Constitution and By-Laws of the Independent Federation of Republic Employees, and

to pay the regular dues, which shall not exceed 50 cents per month.

Signed .....

EXHIBIT B.

Spokesman's Copy

File Record .....

The Independent Federation of Republic Employees
Youngstown, Ohio

RECORD OF COMPLAINTS AND GRIEVANCES

.....

Department Superintendent Date

Presented by .....
Name of Employee Check Number Occupation

Presented by .....
Name of Spokesman No. Men Involved Department

.....

Statement of Case:

.....

.....

.....

.....

Spokesman

Disposition of Case:	Date	No Action	Affirmative	Negative	Compromised	With-Drawn

Superintendent

.....

.....

Management's Representative

.....

Committee

. . . . . .

Committee

. . . . . .

Committee

. . . . . .

Committee

Final Disposition:

Date. . . . . .

Spokesman.

Note: Quadruplicate copies shall be made, the Spokesman retains one, one is sent to the Superintendent of the Department in which the complaint or grievance arises, one is sent to the Recording Secretary of the Federation, and the other is sent to the General Superintendent of the Youngstown District.

OUTLINE

PREAMBLE

Article I.—Name

The Independent Federation of Republic Employees

Article II.—Membership (P. 2)

Section 1. Active Membership.

Section 2. Honorary Membership.

Section 3. Disqualification of Members.

Article III.—Dues (P. 3)

(Not more than 50 cents per month)

Article IV.—Offices (P. 4, 5, 6, 7)

Section 1. Names of offices: President, 3 vice presidents, treasurer, financial secretary, recording secretary, 11 trustees, and sergeant-at-arms.

Section 2. Elected Officers: President, 3 vice presidents, treasurer, financial secretary, sergeant-at-arms.

Section 3. Appointed officers: 11 trustees—(appointed by elected officers and spokesmen jointly).

Section 4. Board of Trustees.

Section 5. Recording Secretary: Appointed by Board of Trustees; devotes full time to the office.

Section 6. Qualifications for Holding Office.

Section 7. Vacancies in Office.

Section 8. Duties of Officers: President, 3 vice presidents, treasurer, financial secretary, sergeant-at-arms, recording secretary.

Section 9. Nomination of officers: President—500 members signatures. Vice President—400 members signatures. Treasurer—400 members signatures. Financial Secretary—400 members signatures. Sergeant-at-arms—400 members signatures. Spokesman—100 members signatures or 50% Department Membership. Alternate—100 members signatures or 50% Department Membership.

Section 10. Election of Officers.

Section 11. Oath of Office.

Section12. Disqualification for Holding Office.

Article V.—Board of Trustees (P. 8)

Section 1. Who Constitutes—general powers.

Section 2. Board of Trustees has temporary authority to increase or decrease departments between elections.

Section 3. The Board without power to affiliate with other organizations.—Election necessary for affiliation.

Section 4. Compulsory audit of finances semi-annually by certified public accountant.

Article VI.—Plan of Representation (P. 9, 10, 11)

Section 1. Representation of district on Board of Trustees. Corporation Plant divided into 11 districts—one Trustee appointed from each district.

Section 2. Representation for departmental grievances. 11 main districts subdivided—each subdivision represented by spokesman.

Section 3. Duties of Spokesmen—and Alternate.

Section 4. Vacancies in Office of Spokesman or Alternate.

Section 5. Removal of Spokesman or Alternate.

Article VII.—Elections (P. 12, 13)

Section 1. Time of Election.

Section 2. Election under supervision of Board of Trustees.

Section 3. Complaints on Election—Recount, How Obtained.

Section 4. Elected Officers: Nominee receiving largest number of votes elected.

Section 5. Spokesman and Alternate—Candidate receiving largest number elected spokesman—second largest elected Alternate.

Section 6. Rules and Regulations in public elections shall govern unless otherwise provided.

Article VIII.—Committees (P. 14, 15)

Section 1. Standing Committees.

Section 2. A District Trustees Appointed Chairman of a Standing Committee.

Section 3. How and by whom Chairman of Standing Committees appointed.

Section 4. Board of Trustees determine number of members of committees.

Section 5. Board of Trustees authorized to appoint temporary committees.

Section 6. Duties of Standing Committees: Ways and Means; Safety First; Membership; Publicity; Sick and Memorial; Finance; Entertainment; Recreation and Athletics; Elections; Constitution and By-Laws; Complaints and Grievances.

Article IX.—Procedure in Handling Complaints (P. 16, 17, 18)

Section 1. Departmental Complaints and Grievances: Written forms prepared by the Board of Trustees—Minor grievances handled and prosecuted by Spokesmen—Copy of Complaint filed with the Recording Secretary. Upon failure of adjustment within 14 days by Spokesman and Corporation Departmental Head, matter taken up by Board of Trustees.

Section 2. Disagreement on Major Policies.

Article X.—Amendments (P. 19)

Section 1. Proposing and Initiating Amendments.

Section 2. Adoption of Amendments.

* * *

For convenience and brevity, the use of the following words in the Constitution and By-Laws of the INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES shall be construed to mean the full term as set opposite the word.

Employee—An employee of the Youngstown District of the Republic Steel Corporation.

Corporation—The Youngstown District of The Republic Steel Corporation.

Federation—The Independent Federation of Republic Employees (Youngstown District).

Member—a duly enrolled member of The Independent Federation of Republic Employees.

Department—A portion or integral part of the Corporation entitled to elect one "Spokesman".

District—A part of the Corporation from which a Trustee is appointed to the Board of Trustees.—(There are eleven Districts in the Plant of the Corporation).

RESPONDENT'S EXHIBIT NO. 24

INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES

Union Label 10

Name ..... Check No. .....
Address ..... Phone .....
Department ..... Position .....
Age ..... Years of Service .....

I hereby become a member of the Independent Federation of Republic Employees, and authorize the above body to represent me in collective bargaining with my employer in all matters that cannot be settled by myself.

I also agree to pay the regular dues, not to exceed 50c per month.

Signed .....

RESPONDENT'S EXHIBIT NO. 28

NOMINATION BALLOT FOR EMPLOYEE REPRESENTATIVES

Directions to Voters

This ballot is issued to qualified voters to nominate candidates for Employee Representatives.

The voter, by using this ballot, approves the holding of Nominations and Elections as stated in the posted notice issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses his desire that those elected shall represent him in collective bargaining and for the other purposes stated in the notice.

Each qualified voter is entitled to nominate twice the number of Representatives to which his department or voting division is entitled.

Write Names or Check Numbers of Candidates Below:

Name *Check No.*

[14 blank spaces provided for names, check numbers]

Vote for 6 Only

If you write more your ballot will be VOID

BLAST FURNACE DEPARTMENT
Department or Voting Division

Date June 9, 1936

RESPONDENT'S EXHIBIT NO. 29

ELECTION BALLOT FOR EMPLOYEE REPRESENTATIVES

Notice to Voters

By using this ballot the voter approves the holding of

Nominations and Elections as stated in the posted notice of this Election issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses the desire to be represented for collective bargaining and the other purposes stated in the notice, by Representatives elected under the Plan.

Directions to Voters

Place cross (X) in front of the name of the candidate or the name of each of the candidates whom you wish to elect as Representatives of your Department or Voting Division.

Place (X) Below	Names of Nominated Candidate or Candidates	
	WARREN CLEAVER	11613
	JOHN C RUSSELL	11737
	ROBERT OWENS	11561
	THOMAS CORBIE	11797
	JAY HARMON	11943
	JACOB GEGOS	11631

Vote for 2 Only

If you vote for more your ballot will be VOID

BLAST FURNACES
Department or Voting Division
Date June 12, 1936

RESPONDENT'S EXHIBIT NO. 32

NOTICE
Regular Annual Election
Plan of Employee Representation
for
Employee Representatives

For the Purpose of Collective Bargaining and Other Purposes Provided for Under the Plan

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The Employees' Committee Will Conduct Nominations and Elections as Stated Below. Nominations and Elections Shall Be Held by Secret Ballot

---

NOMINATIONS

Nominations for Employee Representatives will be held

Tuesday, June 9, 1936

Each qualified voter will be furnished at the polls with a ballot on which he may write the names of those individuals whom he desires to place in nomination.

The number to be nominated in each department will be stated on the ballot.

Those receiving the highest number of votes shall be declared nominated.

ELECTIONS

Elections for Employee Representatives will be held
Friday, June 12, 1936

Each qualified voter will be furnished a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall be declared elected as Employee Representatives. Nominees failing of election shall stand as alternates in the order of their vote.

All employees of the Company (except those in supervisor positions) who are enrolled on the Company's payrolls on the date fixed for nomination shall be entitled to vote.

Lists of those qualified to vote will be in possession of the Judges at the polls.

No Employee Representative or Nominee shall be eligible to serve on the Election Board within their own voting division.

The above regulations are in accordance with the Plan and those who desire so to choose their Representatives for such purposes should vote at the Nominations and Elections.

Nomination Polls Open 7:00 A. M., June 3, 1936

Election Polls Open 7:00 A. M., June 12, 1936

Employees' Committee on Elections
Mart Murphy, General Chairman
Carl Walsh, Vice General Chairman
James Maughan, General Secretary
Walter Larson, Standing Committee No. 1
Warren Clever, Standing Committee No. 1
S. Keenan, Standing Committee No. 1
Chas. Amon, Standing Committee No. 1
Steve Rakocy, Standing Committee No. 1

RESPONDENT'S EXHIBIT NO. 33

CERTIFICATE OF ELECTION FOR EMPLOYEE REPRESENTATIVES

.....

Department or Voting Division

This is to certify that at the ....., Elections held by the Employees of the above department or voting division, the following nominees were elected Emp' yee Representatives:

The following nominees stand as alternates in the order listed on the number of votes received:

[Blank lines provided for signatures]

Employees' Committee on Elections
Republic Steel Corporation and Subsidiaries

District or Subsidiary Plant Date

RESPONDENT'S EXHIBIT NO. 37

WARREN TRIBUNE CHRONICLE

Tribune, 61st Year, No. 259

Chronicle 123rd Year, No. 293

Warren, Ohio, Friday Evening, June 11, 1937

WORK RESUMED AT MONROE PLANT

Picket Line Smashed by Gas Attack

Workers Enter Mill Behind Barrage Laid Down by Police Escort

March on City Halted

Homer Martin, Head of UAW, Prevails on Sympathizers to Return Home

---

Monroe, Mich. (AP)—The Republic Steel corporation

resumed operations at its Newton plant here today in the wake of a tear gas attack late Thursday afternoon which broke picket lines and let non-striking workers into the mill.

The 8 o'clock shift went to work this morning without untoward incident. No pickets appeared to molest the men.

Special policemen, mostly American Legion members, patrolled the city today.

Casualties in the picket line fight last night were estimated at not more than 20. Seven men and one woman received hospital treatment.

Protest March Halted

An abortive march of union sympathizers upon Monroe in protest against the routing of pickets last night ended today thru the intercession of Homer Martin, international president of the United Automobile Workers of America.

Approximately 750 automobile workers, vanguard of thousands who had declared a "holiday" in Pontiac, Mich., for a "peaceful mass demonstration" in Monroe turned back from a rallying point ten miles north of the city of the urging of 15 emissaries whom Martin dispatched in their wake.

They left 34 of their number, including two women, in the Monroe County jail as the result of clashes with police, sheriff's deputies and special officers who posted guards at the highways leading into the city when they learned that the march was in prospect.

A youth, Clayton Bard, of Lapeer, was charged with carrying concealed weapons. Officers seized two knives from the car in which he rode.

The others were held for investigation.

In the series of clashes which led to the arrests, a pa-

trooman fired a shot of warning in the air and another struck a union leader in the face.

There were no other reported incidents of violence as the automobiles carrying unionists were halted at the city limits.

Special police, hastily re-enforced by recruits armed with rifles, shotguns, small arms, clubs and gas grenades, began demobilizing with word that the marchers had returned to their homes. The highway blockades were reduced to skeleton forces.

Pleads with Men

At Pontiac, Martin pleaded with leaders to abandon the march, voted by the Pontiac local of the UAWA, which claims 19,000 members.

"One of the finest things you can do for the cause of unionism is to call off this strike," Martin told a mass meeting hastily convened after his midnight dash from Detroit to prevent the march.

After five hours of frantic telephoning Monroe's Mayor Daniel A. Knaggs received a call from Governor Frank Murphy. The mayor had planned to renew an earlier appeal for national guardsmen; instead he informed the executive that the situation was in hand.

He said the governor promised state assistance should there be a future emergency.

The governor told Police Chief Jesse Fisher he had heard union members were "mobilizing" in several cities, but Martin declared there would be no "March on Monroe".

Pontiac Plants Work

The U. A. W. A. president said that all Pontiac auto-

mobile workers, except the Fisher employes, were working today.

From Pontiac came reports that the Fisher plant was closed until Monday, but all other plants were operating.

The pilgrimage was planned by members of the Pontiac U. A. W. A. local in sympathy with striking members of another Committee for Industrial Organization union who were routed from their picket line near the Newton Steel company's rolling mill here last night.

Return to Mill

From eight to 20 persons were injured in the skirmish between some 200 officers and special police who laid down a tear gas barrage. The dispersal of the picket line permitted non-striking employes of the mill to return to it for the first time since it was closed by a labor dispute May 28.

Several hours of tense quietude separated that fight and the arrival of the vanguard of unionists from Pontiac. They were halted by the augmented force of officers, carrying rifles and shotguns, at a blockade on the main road leading into Monroe from the north.

As each automobile arrived its occupants were questioned, searched for weapons and told to turn back if they proved to be CIO members. Other tourists were permitted to pass the blockade.

Seven men and one woman on the picket line were given hospital treatment for slight injuries after last night's melee, in which special officers used tear gas guns and bombs and night sticks and the unionists hurled bricks and stones.

Reports of the total casualties reached as high as 20.

Clash Soon Ended

The clash ended within 15 minutes, the pickets retreat-

ing. Four hundred non-union workers marched down the road that had been blocked by the pickets and entered the plant.

The area of the mill, the downtown section of Monroe and the chief highways entering the city were guarded by the special officers, wearing white arm bands and many of them garbed in the colorful convention uniforms of the American Legion.

After last night's disorder near the plant the Monroe post of the American Legion, of which Fred Keehn is commander, wired a protest to Gov. Murphy about the lack of state protection.

"Do the women and children of our city need to be terrorized by out-of-town foreigners without some action from the head of law enforcement of our state?" the message said. "We are ready to take the law into our own hands unless we have some action from your department. We stand for law and order."

Keehn said the Legion post was "not taking sides in the labor dispute".

Before retiring last night, Gov. Murphy instructed Adjutant General John S. Bersey and State Police Commissioner Oscar G. Olander to be prepared for quick mobilization of the national guard and the state police if members of the CIO attempted to invade Monroe.

Many Conferences

Gov. Murphy spent most of yesterday in conference or communication with Newton Steel officials, Monroe city authorities and representatives of rival labor groups among the steel mill employees—The Steel Workers' Organizing Committee of the CIO and the Steel Workers' Association of Monroe, an independent organization.

Battle lines were drawn two hours before the start of last night's clash.

In the interval, pickets and special police faced each other across a space 150 yards while leaders engaged in futile peace negotiations.

Strikers greeted with a chorus of boos, however, a suggestion of compliance with the governor's appeal that they permit non-striking employes to pass unmolested.

"Over our dead bodies", several shouted.

Chief Fisher waited no longer, but waved his men on.

A barrage of tear gas from guns with which a small army of 200 police, deputies and special officers were armed followed his order.

Almost simultaneously with the frontal attack, a group of 75 special police emerged from their hiding place and opened fire with tear gas guns in a surprise attack on the rear.

Between Two Fires

Squeezed between the two fires, the choking pickets held their line scarcely two minutes before seeking the only avenue of escape left open.

They fled, hurling back rocks and imprecations at the police who pursued them.

The strikers were not without strategy of their own, however. As the special police approached the abandoned picket line a group of 40 union sympathizers who had mingled with the crowd of spectators tossed gas bombs back at them.

The union's flank attack delayed the advancing police only until they could reply in kind. Not only the combatants, but scores of spectators were routed by the fumes.

The police halted briefly again to remove ropes, benches, an overturned scow and automobiles the pickets, who numbered 250 when the trouble started, had used as a barricade. Immediately a line of automobiles bearing 400 non-union workmen rolled down a private highway to the steel plant, a mile away.

RESPONDENT'S EXHIBIT NO. 38A

COMPLAINT AND WARRANT

The State of Ohio
Mahoning County
City of Youngstown

The Municipal Court of the City of Youngstown, Ohio:

Before me, M. J. Carney, Clerk of the Municipal Court of the City of Youngstown, Mahoning County, Ohio, personally appeared Karl H. Cook, who being first duly sworn according to law, deposeth and saith that one Larry & Cora Simcox—Alias "Jerry Simcox" late of the City of Youngstown, Mahoning County, Ohio, did on or about the 16th day of June, A. D. 1935, in the City of Youngstown, Mahoning County, and State of Ohio, being then and there did knowingly and unlawfully obtain from The Federal Emergency Relief Administration in Ohio, a grocery order of the amount and value of $7.61 by false pretense in this to wit, that they were destitute and in dire need, when in truth and fact they were not destitute and in dire need. Contrary to and in violation of one of the Revised Ordinances of said City then in force. And further this deponent saith not.

Karl H. Cook

Sworn to and subscribed before me, this 10th day of July, 1935.

Martin J. Carney,
Clerk of the Municipal Court

.....

(Seal) Deputy Clerk

The State of Ohio

Mahoning County

City of Youngstown

To the Bailiff of Municipal Court, Youngstown—Greetings:

WHEREAS, Complaint has been made before me, M. J. Carney, Clerk of the Municipal Court of the City of Youngstown, Mahoning County, Ohio, aforesaid, upon the oath of Karl H. Cook that one Larry & Cora Simcox—Alias "Jerry Simcox" late of Mahoning County, on or about the 16th day of June, A. D. 1935, in the City of Youngstown, Mahoning County, and State of Ohio, being then and there did knowingly and unlawfully obtain from The Federal Emergency Relief Administration in Ohio, a grocery order of the amount and value of $7.61 by false pretense in this to wit, that they were destitute and in dire need, when in truth and fact they were not destitute and in dire need.

These are, therefore, to command you to take the said .....if....he....be found in your County, or if.....shall have filed that you pursue after.....into any County in the State, and.....take and safely keep, so that you have.....bod.....forthwith before our Municipal Court, and be dealt further with according to law.

Witness my hand this 10 day of July, 1935.

Martin J. Carney
Clerk of the Municipal Court

(Seal) Deputy Clerk

RESPONDENT'S EXHIBIT NO. 38B

(Notation): 3578 & 3579
Docket N, Page 163, No.

MUNICIPAL COURT OF THE
CITY OF YOUNGSTOWN
Mahoning County, Ohio
The City of Youngstown

Against

Jerry Simcox alias Larry Simcox—35
and Cora Simcox—30
155 Lincoln Ave.

Pursuant to the command of this Writ, I have arrested the within named Jerry Simcox & Cora Simcox and have now in Court this 9 day of July, A. D. 1935.

Thompson
Bailiff

(Stamped): Filed Jul 10 1935, Martin J. Carney, Clerk.

, 19

On this 10 day of July, 1935 the within named Jerry Simcox, Cora Simcox Defendant appeared, and after being arraigned entered a plea of not guilty, to the charge contained herein.

(Notation): Bond $50 each set 7-15-35—1:30 P. M. 7-15-35 Enters Plea of Guilty.

50 & C & 60 Days

Dismissed as to Cora Simcox.

(Stamped): In default of payment of fine and costs herein, the Court orders that said defendant be confined in the County Jail until the fine and costs be paid, or secured to be paid, or the Defendant be otherwise legally Discharged.

(Signature illegible)
Judge.

(Notation): Committed 7-15-35.

I hereby waive the right to trial by jury, and submit the within case to the Judge for final hearing.

.....

Witnesses
[Blank lines provided for witnesses' names]

RESPONDENT'S EXHIBIT NO. 39A

THE MUNICIPAL COURT OF YOUNGSTOWN

State of Ohio, City of Youngstown
vs.
Jerry Simcox

RECOGNIZANCE FOR APPEARANCE

OFFENSE

(Stamped): Bond Cancelled. (Remainder of stamp illegible).

The State of Ohio,
County of Mahoning,
City of Youngstown, ss:

The within named Albert J. Meredith upon his oath says that he is a resident of the Mahoning County and is the bonafide owner of real and personal property in said County liable to execution, exceeding in actual value the sum of One Hundred Dollars, beyond the amount of all his debts and liabilities, and over and above the amount allowed to heads of families as being exempt from execution by the laws of the state of Ohio.

Albert J. Meredith

Sworn to by the said ..... before me and by him subscribed in my presence, this 10 day of July, A. D. 1935.

C. M. Holliday
Deputy Clerk.

RESPONDENT'S EXHIBIT NO. 39B

RECOGNIZANCE

The State of Ohio,
County of Mahoning,
City of Youngstown, ss:

Be It Remembered, That on the 10 day of July, A. D. 1935 Jerry Simcox and ~~Meredith~~ ~~Rork~~ Albert J. Meredith personally appeared before MARTIN J. CARNEY, Clerk of the Municipal Court of the City of Youngstown, and jointly and severally acknowledged themselves to owe the City of Youngstown the Sum of One Hundred Dollars, to be levied on their Goods and Chattels, Lands and Tenements, if default be made in the condition following, to wit:

The Condition of this Recognizance is such, That if the above bounden .....
shall personally be and appear before the Municipal Court of Youngstown, in the Municipal Court Room, in said City on the 15 day of July, 1935, at 1:30 o'clock ..... M. .....
then and there to answer the charge of Charity by False Pretenses and shall further appear before said Court, from time to time, on such days as may be required, until the case shall be finally disposed of, and abide the judgment of the Court and not depart without leave, then this recognizance shall be void; otherwise it shall be and remain in full force and virtue in law.

X Jerry Simcox
Albert J. Meredith

Taken and acknowledged before me on the day and year first above written.

Martin J. Carney
Clerk of the Municipal Court of Youngstown

By C. M. Holliday
(Seal) Deputy Clerk of the Municipal Court of Youngstown

RESPONDENT'S EXHIBIT NO. 41

GE 760 20M 8-36

Republic Steel Corporation and Subsidiaries—

EMPLOYMENT RECORD

Youngstown, Ohio .....

District or Subsidiary		Plant Employment No.
Neverdusky	Date 3-9 1936	7687

Surname Address Address 8308
Charles 411 Wayne Ave. 19206
Christian Middle
Phone No.....
Relatives in this Company's Employ.....

Names..... Department..... Relation.....

Former Employers: Grand Rapid Furn. Co., Youngstown, Ohio. Position..... Rate..... Length of Service, From.... to .... 1934. Reason for Leaving.....

Ever work for Republic? .... When? .... Where? ....
Occupation..... Trade or Training.....

Nativity: Place born, U. S. A.; Date of Birth, 9-2-12; Age, 24; Nationality, Amer.; Citizen .... Naturalized ....
Date arrived in U. S. A.....

Description: Height .... Weight .... Contour of face .... Complexion .... Color of hair .... Color of eyes ....

Physical Condition: Defects or visible marks.....
In case of emergency notify, name.....
Relationship..... Address.....

Education: English Language, Read√ Write√; Native Language..... Common School—Grade.....
High School—Years..... College—Name.....
Degree.....

Social State: Married Single√ Widowed Divorced Separated Is your wife depending on you for support? Yes No If not, why not? .....
Children—names and ages.....
Other Dependents.....

(Over)

(Continued from other side)

I hereby agree that dues for the Relief Association shall be deducted from my wages.

I further agree to the deduction of ..... from my wages for the Community Fund.

I hereby authorize the Corporation to deduct from my wages any accounts which I may hereafter contract with the Corporation.

I certify that the answers given to the foregoing questions on this card are true and correct to the best of my knowledge and belief, and in accepting employment agree to abide by the rules of the Corporation.

.....

Signature

292-09-0775

[Print of right thumb if unable to write]

Service Record

Department	Employe Number	Position	Time from	Time to	Code	Reason for Leaving
O. H. Masonary	7687	Helper	3-9-36	5-20-37		
B. L. Shipp.	8308	Loader	5-20-37	5-20-37	Wrong No.	
B. L. Shipp.	19206	Loader	5-20-37	7-27-37	Cancelled	

Injuries

Date ..... Time Lost ..... Nature .....

Physical Inspection Rating

A B√ C D

.....

Interviewer

Remarks .....

RESPONDENT'S EXHIBIT NO. 43

NOTICE

Regular Annual Election
Plan of Employee Representation
for
Employee Representatives
For the Purpose of Collective Bargaining and Other Purposes Provided for Under the Plan

The Employee' Committee will conduct Nominations and Elections as Stated Below. Nominations and Elections Shall Be Held by Secret Ballot

NOMINATIONS

Nominations for Employee Representatives will be held

Each qualified voter will be furnished at the polls with a ballot on which he may write the names of those individuals whom he desires to place in nomination.

The number to be nominated in each department will be stated on the ballot.

Those receiving the highest number of votes shall be declared nominated.

ELECTIONS

Elections for Employee Representatives will be held

Each qualified voter will be furnished a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall

be declared elected as Employee Representatives. Nominees failing of election shall stand as alternates in the order of their vote.

All employees of the Company (except those in supervisory positions) who are enrolled on the Company's payrolls on the date fixed for nomination shall be entitled to vote.

Lists of those qualified to vote will be in possession of the Judges at the polls.

No Employee Representative or Nominee shall be eligible to serve on the Election Board within their own voting division.

The above regulations are in accordance with the Plan and those who desire so to choose their Representatives for such purposes should vote at the Nominations and Elections.

Nomination Polls Open ..... Election Polls Open .....

Employees' Committee on Elections
(Space provided for signatures)

RESPONDENT'S EXHIBIT NO. 44

NOMINATED CANDIDATES FOR EMPLOYEE REPRESENTATIVES

At the ....., nominations, the Employees whose names appear below were Nominated as Candidates to be voted on for Employee Representatives at the elections to be held .....

.....

Department or Voting Division

NOMINATED CANDIDATES

Name Number of Votes

(Space provided for names, number of votes)

At Election Vote for ..... Only
(Space provided for signatures)
Employees' Committee on Elections
Republic Steel Corporation and Subsidiaries

District or Subsidiary Plant Date

RESPONDENT'S EXHIBIT NO. 45

NOMINATION BALLOT FOR EMPLOYEE REPRESENTATIVES

Directions to Voters

This ballot is issued to qualified voters to nominate candidates for Employee Representatives.

The voter, by using this ballot, approves the holding of Nominations and Elections as stated in the posted notice issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses his desire that those elected shall represent him in collective bargaining and for the other purposes stated in the notice.

Each qualified voter is entitled to nominate twice the number of Representatives to which his department or voting division is entitled.

Write Names or Check Numbers of Candidates Below:

Name *Check No.*

(Space provided for names, check numbers)

Vote for ..... Only If you write more your ballot will be VOID

.....

.....

Department or Voting Division

Date .....

RESPONDENT'S EXHIBIT NO. 46

ELECTION BALLOT FOR EMPLOYEE REPRESENTATIVES

Notice to Voters

By using this ballot the voter approves the holding of Nominations and Elections as stated in the posted notice of this Election issued by the Employees' Committee under the Plan of Employee Representation at this Plant and expresses the desire to be represented for collective bargaining and the other purposes stated in the notice, by Representatives elected under the Plan.

Directions to Voters

Place cross (X) in front of the name of the candidate or the name of each of the candidates whom you wish to elect as Representatives of your Department or Voting Division.

PLACE (X) BELOW

NAMES OF NOMINATED CANDIDATE OR CANDIDATES

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

VOTE FOR ONLY

If you vote for more your ballot will be VOID

_____ _____

Department or Voting Division

Date . . . . . .

RESPONDENT'S EXHIBIT NO. 47

REPUBLIC STEEL CORPORATION
WARREN DISTRICT

Plan of Employee Representation
Adopted June 1933
Amended May 1934

REPUBLIC STEEL CORPORATION
Warren District

Plan of Employee Representation

The Plan of Employee Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I

REPRESENTATION

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II

TERM OF OFFICE OF REPRESENTATIVES AND VACANCIES

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

QUALIFICATIONS OF REPRESENTATIVES AND VOTERS

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nominations shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

IV.

NOMINATIONS AND ELECTIONS

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on

ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a

cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Management's Representative

The Company shall appoint a Management's Repre-

sentative to facilitate close relationships between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee' is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1 — Rules, Ways and Means.

Committee No. 2 — Wages, Employment, Schedules and Working Conditions.

Committee No. 3 — Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4 — Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein

provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII.

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. In months that the Joint Committees meet, a meeting shall also be held by the General Body of Employee Representatives for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of

Employee Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII.

ANNUAL CONFERENCE

An Annual Conference between all of the Employee Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX.

PROCEDURE FOR ADJUSTMENTS

1. Any matter which in the opinion of any employee or group of employees, requires adjustment, and which such employee or group of employees has been unable to adjust, either directly with the foreman or through his or their representative, may be taken up by such employee or group of employees, either in person or through any representative of his or their department in writing.

First—With the Superintendent concerned.

Second—With the Management's Representative.

Third—With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within fourteen (14) days, unless otherwise agreed upon between the Department Head and Representative with whom he is in contact, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the Joint Appeals Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

All changes in hourly or tonnage rates fixed or determined by any authority in the procedure of the Plan, up to and including the Joint Appeals Committee, which decision is satisfactory to the employee or employees concerned, shall be made effective as of the date the written request was filed with the department head.

Request for changes in hourly or tonnage rates shall be considered closed upon such a decision as hereinbefore stated, unless notice of an appeal is filed in writing by the employee or employees with the Chairman of the General Body and/or the Management's Representative within fourteen (14) days after the decision as hereinbefore stated was made, in which event the request will be continued through such procedure of the Plan as is necessary to effect final disposition.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X.

GUARANTEEING THE INDEPENDENCE OF REPRESENTATIVES

1. It is understood and agreed that each Representative or employee assisting him shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected

in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI

AMENDMENTS

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employee Representatives and of the Representatives of the Management at an Annual Conference.

RESPONDENT'S EXHIBIT NO. 48

CERTIFICATE OF ELECTION FOR EMPLOYEE REPRESENTATIVES

. . . . . .

Department or Voting Division

This is to certify that at the _____, Elections held by the Employees of the above department or voting division, the following nominees were elected Employee Representatives:

(Space provided for names)

The following nominees stand as alternates in the order listed on the number of votes received:

(Space provided for signatures)

Employees' Committee on Elections

Republic Steel Corporation and Subsidiaries

District or Subsidiary _____ Plant _____ Date _____

RESPONDENT'S EXHIBIT NO. 50

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of Republic Steel Corporation and Steel Workers Organizing Committee

Case No. C-184

Re Youngstown, Warren-Niles Districts

RESPONDENT'S OFFER TO PROVE

Respondent offers to prove that immediately after the calling of the strike on May 26, 1937 pickets and members of the S. W. O. C. and C. I. O. gathered in great numbers about the boundaries of and entrances to respondent's plants in Youngstown, Ohio, Niles, Ohio, and Warren, Ohio; that a great majority of said pickets and members as afore-

said were armed with clubs, ball bats, pieces of pipe, bricks, stones, revolvers, rifles and many other types of homemade weapons of a dangerous character such as clubs with nails and razor blades imbedded in them; that said pickets and members as aforesaid, in addition thereto, erected barricades of cables, timbers, automobiles, etc. in and about the duly dedicated public highways in the municipalities of Warren, Niles, Youngstown, Struthers and Campbell, Ohio, and in the counties of Trumbull and Mahoning in the State of Ohio; that said pickets and members as aforesaid arrogated to themselves the regulation of traffic and the use of state highways by members of the public; that groups of members of S. W. O. C. and C. I. O. toured the highways in said counties in motor vehicles marked "C. I. O. Flying Squadron" and by threats and violence endeavored to secure members for said organization, to prevent workers from returning to their work and to cause workers at work to cease and desist from their labors and, in various instances and by said means, accomplished their purposes; that wives, children and relatives of men in the mills of respondent were threatened and abused and their homes damaged; that members of S. W. O. C. and C. I. O. stopped and searched automobiles of citizens without right; that railroad tracks were destroyed by explosives and other means; that railroad tracks were barricaded; that speeches were made by leaders of the C. I. O. inciting the members of the organization to riot; and that assaults, resulting in bodily harm, were committed by the said members of the C. I. O. and S. W. O. C. on the persons of citizens. Respondent believes that the following named witnesses, if permitted, would so testify:

Hugh McCabe
George McCabe
W. J. James
Joseph McKosky

John A. Evans
Harry Purcell
O. G. Broadbelt
Col. Wade C. Christy—O. N. G.
Capt. Harry N. Potts—O. N. G.
Capt. Joseph Parilla—O. N. G.
Alfred Paul Timms and
Carmen diChristophero.

Respondent further offers to prove that Joe Bronk, an employee at its Warren Plant previous to the calling of the strike, and a member of the C. I. O. was on the picket line at the entrance to the Trumbull-Cliffs furnace for about one week and later used his car for carrying food to other pickets; that the director of the strike was one Gus Hall; that on the evening of Memorial Day there was trouble which amounted to a small riot on one of the picket lines; that one of the men active in the strike known as "Scottie" called Bronk to one side and said he wanted him to make a trip into Pennsylvania and bring back some "stuff"; that that evening the said Scottie came to the picket line and with Bronk and others started for Pennsylvania after first stopping at C. I. O. headquarters and talking with Gus Hall and obtaining from him $10 for expense money; that a man named John came along to pilot them to a place in Pennsylvania; that they drove to a point just outside the limits of Oil City and went to an old shack back in the woods where they saw an old man from whom Scottie made a request for dynamite; that said old man stated that he knew where there was some dynamite but that the place was locked up and none could be obtained unless the lock was broken; that they decided not to break into the place at that time and arranged to make a later trip returning to Warren about six o'clock in the morning; that on the next day Gus Hall scolded Bronk for not having appeared promptly at the C. I. O. headquarters with a report of the trip; that four

ıbers of the C. I. O., including the said John above men-
ed, made a trip about one week later to Pennsylvania
ı Charles Byers in a big Buick automobile; that said
ck started on this trip from C. I. O. headquarters; that
his trip nitro-glycerin and dynamite were transported
ı Pennsylvania to Warren, stored in the home of a mem-
of the C. I. O., bottled and taken to C. I. O. headquar-
for placing of caps and fuses; that this dynamite and
o-glycerin were used at various points around the plant
espondent and along the railroad tracks in the vicinity
reof; that John Borawiec, Charles Byers, Sidney Wat-
and others handled said explosives which were used by
ıbers of the C. I. O. for destruction of railroad tracks
purposes of intimidation. Respondent believes that the
ness Joe Bronk, if permitted, would so testify.

Respondent further offers to prove and believes that the
rds of the Court of Common Pleas for Trumbull County,
o would show that in connection with the possession
use of explosives in this strike, Charles Byers, Sidney
kins and A. C. Scott, members or former members of
C. I. O. and now under sentence in the Ohio State Peni-
iary, and John Borawiec, George A. Bundas and An-
v J. Marsh, members or former members of the C. I. O.
on probation for a 5-year period, each severally pled
ty to the possession and use of the explosives hereto-
mentioned.

Respondent further offers to prove that after the strike
called as aforesaid and on account of the unlawful
eting, the destruction of railroad tracks, and the block-
maintained by members of the C. I. O. and S. W. O. C.
he public highways, as aforesaid, it became necessary
et food into respondent's plants at Niles, Ohio, and War-
Ohio to feed its employees then at work; that airplanes
e chartered for that purpose and began carrying food
fs into said plants on or about June 1, 1937; that there

was sufficient space within the Warren Plant for the landing of planes but at Niles no landing space was available; that whenever a plane would attempt to drop food at the Niles Plant or to land with food at the Warren Plant, shots would be fired at said planes from ambush and from the public highways in Trumbull County, Ohio; that on June 3, 1937 one Sam Caputo, a member of the C. I. O. shot at a plane piloted by T. H. O'Malley; that on the same day Mike Spelich, a member of the C. I. O. also shot at said plane so piloted by said O'Malley who was at the time attempting to bring food into respondent's plant; that the said Caputo and the said Spelich were arrested and charged with shooting to kill the said T. M. O'Malley while the said O'Malley was in an airplane and were bound over to the Grand Jury of Trumbull County, Ohio, where their cases await disposition; that on June 2, 1937, a direct hit was made on a plane landing at the Warren Plant and that nine shots were fired at other planes; that said shots were fired from Pine Street in the city of Warren, Ohio, and from the swamp area near respondent's Open Hearth Building, which points were constantly manned by C. I. O. pickets; that on June 3, 1937 a plane landing at the Warren Plant was fired on; that on June 2, 1937 twenty shots were fired at a plane flying over the Niles Plant and three hits were made on said plane; that bullet holes were found in the said planes; that shots fired in all instances came from C. I. O. picket lines or points manned by C. I. O. pickets; that on or about June 4, 1937 the airplane attempting to bring food to the Niles Plant of respondent was fired on from the field just north of said plant; that following said shots two men armed with rifles ran from the bushes in said field; that the location of said two men was the picket line of C. I. O.; that other pickets on the same location and at the same points were armed with clubs and pipes; that shooting continued at the Niles Plant on almost every occasion that the plane would come to the plant and came from underbrush in

a thicket near the Erie Railroad tracks; that said shots were fired from rifles and immediately after the disappearance of a plane men would be seen sneaking out from said underbrush; that said men came from a location manned by C. I. O. pickets; that men were also seen under a camouflage of sheet metal in an area adjacent to the Niles Plant along a picket line; that men were seen coming from this camouflage with rifles and that empty rifle shells were later found at this location; that one member of the C. I. O. was seen in this picket line with a revolver and that a revolver shot was fired at a plane from the picket line at a point opposite the Niles Plant and that rocks and stones were thrown at said plane from the C. I. O. picket lines adjacent to said plant when said planes would fly low. Respondent believes that the following named witnesses, if permitted, would so testify:

W. C. Wilson
Tom Baker
Edward Harrison
Capt. Joseph Parilla—O. N. G.
Glenn Marshall
Howard Pendleberry and
John Patton.

Respondent further offers to prove that subsequent to May 26, 1937, strikers and members of the C. I. O. interfered with, hindered, and in some instances stopped and prevented the delivery of United States mail to its plants where a strike had been called by the C. I. O.; that on June 4, 1937 one Edward S. Harrison went to the United States Post Office at Warren, Ohio, and attempted to mail a package containing magazines to a Mr. Dye, an employee of respondent who had remained in its Warren Plant; that despite the fact that said parcel was wrapped and ready for delivery the man in charge of the stamp window at the Warren Post Office refused to sell stamps to be affixed

thereto because they were prevented from delivering packages to the Warren Plant of respondent by the C. I. O.; that the said Harrison, after leaving said Post Office, tried to gain admission to the plant of respondent and was refused admission by a group of C. I. O. representatives located about a half a block from the main entrance; that said representatives who stopped Harrison were armed with wooden clubs, baseball bats and lengths of iron pipe wrapped with tape; that said C. I. O. members told him to get away from there and stay away regardless of his message for Mr. Dye, and that one of the men on said picket line with whom he talked said that he was a member of the C. I. O. and a miner whose residence was Uniontown, Pennsylvania. Respondent believes that the witness Edward S. Harrison, if permitted, would so testify.

Respondent further offers to prove that when the mailman carrying U. S. mail approached its Niles Plant in his truck he would stop in front of the C. I. O. headquarters opposite its Niles Plant and the packages of mail would be taken out of the truck and into C. I. O. headquarters where they would remain for four or five minutes, after which said mailman would put the same back in his truck and drive over to the respondent's office; that said pickets climbed upon the U. S. mail truck on several occasions and that on one occasion three or four members of the C. I. O. jumped on the express truck and stopped it within twenty feet of the main entrance of respondent's plant at Niles, talked with the driver and finally turned the truck back and away from respondent's plant. Respondent believes that the witnesses N. S. Neitz and Howard Pendleberry, if permitted, would so testify.

Respondent further offers to prove that on June 4, 1937 the postal authorities at Warren refused to accept from Louis L. Guarnieri parcel post packages addressed

to Frank E. Flynn at the Warren Plant of respondent; that said same parcel post packages were again tendered to the postal authorities at Warren, Ohio on June 7, 1937, and again refused; that on June 7, 1937 the said Mr. Guarnieri tendered four packages containing non-perishable food to the Postmaster at Niles, Ohio Post Office for delivery to Sam Brown, Superintendent of respondent's Niles Plant, and that said packages were refused; that Mr. Marceau, Postmaster at Niles, Ohio, stated that there was a working agreement with Mr. Payne and Mr. Galloway, executives of the C. I. O. with reference to parcel post packages addressed to the plants of respondent. Respondent believes that the witness, Louis Guarnieri, if permitted, would so testify.

Respondent further offers to prove that on June 3, 1937 Mrs. Rhoda M. Best received a telephone call from her husband, an employee of respondent then at work in its plant, asking her to send him two bottles of false teeth adherent powder to the plant of respondent so that he might be able to hold his false teeth in place while eating solid food; that she procured this package and sent it with her son to the South Side Branch of the Youngstown Post Office where the Post Office Officials refused to accept the same, saying that they could not send it through and it would be a waste of postage; that her son-in-law went down to the Main Office of the Youngstown, Ohio Post Office the next morning with the same package and was there told that he could leave the package if he so desired, but they did not think it would get through; that said package was left at said Post Office and a few days thereafter her husband again called urging her to try to get some of the powder through to him; that she then procured another bottle of said adherent powder and personally took it to the South Side Branch of the Youngstown Post Office and was advised that said package in all probability would not get through

to her husband in the plant; that she then tried to send said package first class or special delivery and the same was again refused by the postal authorities at Youngstown; that thereafter she tried through a friend to send the package of powder to her husband and later learned that said package had been taken from this friend by members of the C. I. O. picketing respondent's plant. Respondent believes that the witness Rhoda M. Best, if permitted, will so testify.

Respondent further offers to prove that John F. Wyndham, an employee of the Post Office Department, whose duty was the delivery of mail in and about the city of Warren, Ohio, did deliver a truckload of mail addressed to respondent's Warren Plant on May 27, 1937, but on May 28, 1937 was prevented from making a delivery of United States mail by C. I. O. pickets congregating at the entrance of respondent's plant; that at the time said Wyndham was prevented from making such delivery, he recognized C. I. O. members William Williams and Chester Rochett among the group and, despite the fact that he called to their attention the fact that they were interfering with the United States mail, they still would not permit him to enter and that he returned with said mail and reported the facts to his superior officers at the Post Office in Warren, Ohio. Respondent believes that the witness John F. Wyndham, if permitted, would so testify.

Respondent further offers to prove that during the last part of May and the first part of June, 1937, members of the C. I. O. interfered with, hindered and prevented, the delivery of railroad cars to the plants of respondent in Youngstown, Niles and Warren, Ohio; that on June 4, 1937 the Lake Erie and Eastern Railroad Company attempted to place twenty-six cars of iron ore in the plant of respondent at Youngstown, Ohio; that members of the

C. I. O. came from Poland Avenue in Youngstown, Ohio, armed with clubs and started to climb upon the locomotive and at that time advised the conductor in charge of said train that he would not be allowed to move the cars into the plant of respondent; that on account of the action of said members of the C. I. O. said Railroad Company was unable to make delivery of the said cars and moved the same back into the yard and left the property of respondent; that said pickets wired the switch leading from the Lake Erie & Eastern Railroad tracks into respondent's plant and threatened to remove the rail from said track if said Railroad Company attempted to deliver any cars; that during said period said Railroad Company made numerous attempts to deliver cars to the plant of respondent and were, by members of the C. I. O., prevented from so doing; that on one occasion when the Railroad was attempting to deliver five cars of coal the C. I. O. pickets would hold the coupling lever and prevent the coupling from operating; that railroad ties were placed across the tracks in the tunnel leading from the Bessemer Plant to the Open Hearth Works under the Pennsylvania Railroad tracks which blocked said tracks and would have derailed a train attempting to move thereon; that stones and rocks were hurled by C. I. O. pickets at trains and engines moving within the property of respondent; that members of the C. I. O. congregated and picketed on the properties of the Pennsylvania Railroad Company, The Erie Railroad Company and The Baltimore & Ohio Railroad Company in and about the cities of Youngstown, Niles and Warren, Ohio, and interfered with the operations of said Companies to such an extent that the officials of said Companies complained of said situation and asked The Honorable Martin L. Davey, Governor of the State of Ohio, to intervene and protect the movement of trains in and about the various plants of respondent; and that on or about June 5, 1937, C. I. O. pickets, using acetylene torches, cut the rails lead-

ing into the Rod & Wire Works of The Youngstown Sheet & Tube Company at Struthers, Ohio, after a car of food, protected by Struthers police and deputies from the Sheriff's office, had broken through the picket lines and had been delivered inside the plant. Respondent believes that the witnesses J. F. McMahon, William Flanigan, Emedro de Frangia and others, if permitted, would so testify.

Respondent further offers to prove that Mike Sesko, a member of the Amalgamated Association, a resident of Warren, Ohio, and an employee of Republic Steel Corporation, who remained away from work from the time the strike was called until July 21st, came to Pine Street, across from C. I. O. headquarters, on July 6, 1937; that at about 8:00 or 9:00 o'clock in the evening of said day John Grajciar called him across the street to C. I. O. headquarters and asked if he were working; that Sesko said "No"; that thereafter Grajciar said "You took 17 men in the mill today" and upon Sesko's denial said they should go and see Terrydale, Vice President of the C. I. O. lodge; that when Sesko started across the street to see Terrydale, a number of men surrounded him and took him inside headquarters, where one of them knocked him down when he did not sign a C. I. O. card; that Sesko later was able to break loose, leaving the building by the rear door; that numerous men, members of the C. I. O., followed him out said door to near where a policeman was stationed across the street; that thereafter, Sam Caputo, a member of C. I. O., came across the street and offered to take Sesko home in his car; that as soon as Sesko got in the car he was knocked unconscious and thrown out onto the street; that the force of the blow on the left side of his head fractured his skull; that he was taken by a policeman to the City jail, where his head was washed and where he was treated by the City physician; that he was thereafter seen by Dr. Thomas, who sent him to the Warren

City Hospital. Respondent believes that the witness, Mike Sesko, if permitted, would so testify.

Respondent further offers to prove that W. B. Rankin, an employee in the Warren Plant of respondent, was prevented from working during the strike; that he was anxious to be at work and in connection therewith talked with several of his fellow employees; that Dick Bowman and Harold Boyd and four or five other members of the C. I. O. came to his house on several occasions; that about forty members of the C. I. O. paraded in front of his house, and that upon another occasion Boyd came to talk with him; that during the course of the conversation, the name of Sid Howe was mentioned, at which time Boyd said: "That dirty . . . . . We have a little room all fixed up for him and in a few days he'll be in there. That is why I wanted you to see the light, Bill" that the action of said members of the C. I. O. in and about his home caused such fright to his wife that she suffered from a nervous breakdown; that on several occasions he visited the vicinity of the mill, at which time every C. I. O. member seen by him had a club or a piece of pipe or some weapon; that he was a member of the Amalgamated Association and that word came to attend a meeting in the A. A. Hall where they were to have a vote to see whether or not they would go back to work; that at this meeting, Harry Wines, an executive of the C. I. O. and former President of the Trumbull Lodge, got up and said "There is a certain bunch of men think they're going in that mill Tuesday morning and they're not going in. You get down on the picket line and you know your job. You see that you stop them from going in the mill. There is nothing against the law that you can't get away with. Use your own judgment"; that at said meeting, also, Mr. Grajciar spoke saying "I am going to read you out some names of some . . . . . dirty scabs in that mill down there"; that he thereafter read certain

names and continued: "Now, you fellows know where they live and you know what your job is. Now, see that you do it"; that Leonard, a C. I. O. representative from Pittsburgh, was also present and spoke, but that no vote was taken with reference to returning to work. Respondent believes that the witness, W. B. Rankin, if permitted, would so testify.

Respondent further offers to prove that Sylvester Brogdon, an employee of the respondent at its Warren plant, who was out of work during the strike, attempted to return to his work; that he had been told how to get into the plant near the hospital; that he made the attempt, grabbing the wire fence, on the first Sunday in June of 1937 at about 8:30 o'clock in the morning; that said fence pulled loose and he fell back and was seen by numerous C. I. O. pickets who converged upon him from the main gate and from the B. & O. gate; that he ran across to the Community House, seeking shelter but was unable to enter the front door and later ran around to the rear, where he was caught by a group of C. I. O. pickets with clubs and C. I. O. badges; that said pickets surrounded him and later Officer Strok of the Warren Police Department came and searched him saying "Boy, don't you know better than to get in that place over there. Don't you know any better than to try to get in the plant when there is a strike? Go with them"; that after the police officer told him to go with the C. I. O. men a couple of hundred of them followed him down Pine Street to a man who had a sign "Deputy" on the car; that he there entered a car; that six of the C. I. O. men piled into the car and two more rode the running board; that the car proceeded down Pine Street and High Street and out Mahoning Avenue in the City of Warren; that it also went out the State Road and they took him back into the woods where they made him take off his clothes and while he was talking to two of them he heard a roaring; that the roaring was

caused by a blow on the head which made a deep gash in the right side of his head; that he was thereafter unconscious for a time and when he recovered consciousness he was alone in the woods without clothes; that he looked about for his clothes and later saw a farmer from whom he borrowed a coat and a pair of overalls and made his way back into town; that he was treated by Dr. Samuel A. Brown, 1825 West Market Street, Warren Ohio, for said injury. Respondent believes that the witness, Sylvester Brogdon, if permitted, would so testify.

Respondent further offers to prove that Leo Zipperer, an employee of respondent, at its Warren, Ohio plant, in the engineering department, and who was prevented from working during the strike, made an effort to enter the office where he was employed; that his weight is 112 pounds; that he went to the front of the office and was standing on the street when a C. I. O. picket by the name of Dave Williams, who weighs 250 pounds, not an employee of Republic, gave him a shove and nearly knocked him down; that at said time he was accompanied by Mr. Bernet, another employee, who said to C. I. O. Picket Williams "Don't pick on a little fellow like that; he is not very strong", and immediately Picket Williams struck Mr. Bernet in the jaw, cutting his lip, and that he was forced to return to his home without being able to enter the plant and work. Respondent believes that the witness, Leo Zipperer, if permitted, would so testify.

Respondent further offers to prove that Tom Baker, an employee of respondent at its Niles Plant, was in the mill during the strike and at the time planes were delivering food to the Niles Plant; that he saw the barricade in front of the main entrance being put up by William Sproul —or Sprong—and Nick Lapala, members of the C. I. O.; that he went out and interrogated them as to whether or not managers or superintendents would be permitted to

pass the barricade consisting of the cable, reinforced by cars parked bumper to bumper; that Nick Lapala said "Absolutely not"; that they could come out if they wanted to, but could not go back; that one morning about 3:00 o'clock, he saw Wiley F. McCleary, a motor inspector, attempt to enter by the main gate; that members of the CIO grabbed him and took him over to the CIO tent, where he was surrounded by numerous pickets; that he heard him scream and later saw them take him away; that about the second or third day planes were dropping food in the plant and every time a plane neared the plant he could hear shots; that he crawled up a coal tower in an endeavor to locate them and found that they were coming from a thicket near the Erie Railroad and from the underbrush at that point; that as soon as the shooting stopped and the planes had gone, he could see men sneaking out of the underbrush and going back towards dwellings in the distance beyond the picket line; that after the injunction of the court became effective, he brought men who desired to work, and who had no cars, to the plant in his car, during which trips members of the CIO tried to run his car off the road and wreck it and that on one occasion, one of three men standing in the picket line in a group, threw a stone which hit his car; and that along the picket line he saw many CIO pickets armed with clubs, some of them with nails driven in the side of the weapon, and also piles of rocks and stones along the picket line, placed there by said pickets. Respondent believes that the witness, W. B. Rankin, if permitted, would so testify.

Respondent further offers to prove that John Patton, an employee of respondent, at its Niles, Ohio plant, after the injunction of the Court was effective and the cable taken down, was engaged in hauling some of the girls back and forth from the plant, during which time cars would ram his car from behind, and the same being done on one

occasion by Galloway, a member of the CIO Lodge, who asked him what he meant by doing such work; that this happened about the 6th of July, 1937; that he was followed on numerous occasions by C. I. O. pickets in cars and on other occasions his car was hit by stones thrown by them and, after having another employee follow to protect him, his car was again struck by one of three men at a C. I. O. picket post; that he attempted to apprehend these men but, by the time he could get his car stopped and got back, they had scattered; that while he was in the plant and before the cable was taken down, his daughter drove up in front of the barricade and told the C. I. O. pickets on duty that it was quite important that she see her father; that said permission was denied her and she was told, when he did get out, they intended to kill him; that on another occasion the car of C. I. O. men drove alongside his and told him that if he did not make that his last trip they would see to it that it was his last trip and when he came back, one of the fellows at the corner called him names and said "We'll stop you if we have to kill you"; that he saw members of the C. I. O. in the picket line armed with stones, clubs and small baseball bats with a strap on the end of them around their wrists, and that he heard shooting at the airplanes bringing food to the plant, the reports of which shooting sounded like the firing of a rifle. Respondent believes that the witness, John Patton, if permitted, would so testify.

Respondent further offers to prove that Wiley F. McCleary, a motor inspector employed at the Niles Plant of the respondent, and who remained in the plant at the beginning of the strike, left the plant one night to attend to some personal business and thereafter, at 3:00 o'clock the next morning, attempted to re-enter the plant by the main gate, at which time he was struck over the head with a club and grabbed by about a dozen of the C. I. O. pickets and dragged

over into their tent opposite the main gate, at which time they went through his belongings and thereafter loaded him into a car and took him out into the country 6 or 7 miles, where some of them struck him on the point of the chin while others held his hands and others hit him on the back of the neck; that this occurred on or about June 14, 1937, after which they drove away and left him, after telling him that if he ever came near Niles again they would finish him; that he has since seen the man who struck him on the chin driving an automobile with Ohio 1937 license G-679-Q; that he received injuries from which he suffered for a couple of weeks. Respondent believes that the witness, Wiley F. McCleary, if permitted, would so testify.

Respondent further offers to prove that Elmer Irwin, an employee of Respondent at its Niles Plant, was in said plant for a time during the strike, and then left said plant; that thereafter, and about the 23rd day of June, he was in Warren issuing passes for permits that the Sheriff had issued to allow men to go in and out of the plant; that on said evening, about six o'clock, he came into the plant with one of said passes on his car; that thereafter, and on Friday morning, June 25, a little bit before four o'clock, he was in the bathroom of his home and, after returning to his bed, he heard men talking in the street; that suddenly a boulder struck his door and he looked out of the window and saw the back end of a black Ford car driving away; that a car of the same description left the picket line at the plant five or ten minutes previous to that time and returned to the picket line some fifteen minutes later; that on another occasion he drove for a man who wanted to return to work, and, while on the street, Galloway, a member of the C. I. O., and driving another big car, followed him until he drove into the Police Station; that on another occasion Cope, a C. I. O. organizer, followed him in the same manner and stayed with him until he drove into the Police Station. Re-

spondent believes that the witness, Elmer Irwin, if permitted, would so testify.

Respondent further offers to prove that Lendal Hoppes, an employee of respondent at its Niles Plant, stayed in the mill at the beginning of the strike; that his wife was ill and a doctor's order was sent to the plant for him to leave the mill; that as he left the main gate at Niles, the C. I. O. pickets argued with him for a considerable period of time, calling him many names; that he finally left them and was walking to his home, to see his sick wife, and soon noticed a car following him; that he walked on Federal Street and up Vienna Street to turn on to Robbins Avenue in Niles, Ohio; that just as he made that turn, the car cut across the drive in front of him and ordered him back out of town; that said car was filled with five members of the C. I. O.; that they, thereafter, made him walk out of town by way of Vienna Avenue, during all of which time he was followed by the 1929 Chevrolet Coupe; that they made him walk four miles to Howlands Corners, during which time they kept telling him to hurry up and cursed him; that he, thereafter, continued to Kinsman and met some one who brought him back into town; that the cars in both instances were filled with C. I. O. pickets whom he had seen, on many occasions, although he is of the opinion that they are not employees of respondent. Respondent believes that the witness, Lendal Hoppes, if permitted, would so testify.

Respondent further offers to prove that Thomas Bradley, an employee of Respondent at its Niles Plant, remained in the mill during the strike; that during said time, and on one Friday evening he, with three others, went up through the field which is a part of the Republic property; that as they came very near to the house in said field, some one said "Stop," and three members of the picket line were

noticed; that the group stopped and then started ahead and a man said "Stop or I shoot," and the group stopped again; that one of the group said "He has no gun anyhow, let's go ahead," and, when they started the third time, five shots from a pistol were discharged at the group; that the members of the group tried to catch the shooter but lost him in the brush; that said shots came from pickets on Company property. Respondent believes that the witnesses, Thomas Bradley and Harry W. Romack, if permitted, would so testify.

Respondent further offers to prove that Kenneth Williams, an employee of Respondent at its Warren Plant, ran the picket line on the Sunday night after the strike was called, and was able to return to his work; that he remained at his work, in the mill, for ten or twelve days, and then left the mill, and, when he sought to return to his work, he was refused admission by the members of the C. I. O. on the picket line; that he, thereafter, went home and again returned to the mill where some one told him that he had come across the field; that he told them he was not going back across the field because it was wet and attempted to walk down the River; that two deputies took him through the picket line to Park and Fulton Streets, in the City of Warren, from which point he returned to his home; that he tried again and was forced away, and thereafter, with one J. D. Spearman, went out Main Street in a cab; that they walked down toward the River and asked a man along the bank where Mary Taylor stayed; that they started down back and the pickets began to surround them; that Spearman got away, but that the C. I. O. pickets caught Kenneth Williams, put him in a car and took him to C. I. O. headquarters; that at C. I. O. headquarters they transferred him to another car and took him out Elm Road, saying they were going to take him to jail;

that this car was the property of Mary Martin; that said members of the C. I. O., and another car load of them, making ten in all, took him out Elm Road, where the driver told him to get out of the car; that as he attempted to alight, said driver struck at him saying "Come on out. You got it coming to you"; that he alighted from the car where he was struck several times, and kicked, by members of the party; that after he was beaten by said C. I. O. pickets, he was left out on Elm Road; that he was treated by Dr. Thomas for his injuries; that said attack on him was made on or about June 12; that said pickets in said cars were armed with clubs; that he was knocked down into a ditch filled with water; that a couple of days later he was successful in returning to his work. Respondent believes that the witness, Kenneth Williams, if permitted, would so testify.

Respondent further offers to prove that William Boger, an employee of respondent at its Warren Plant, remained in the mill when the strike was called; that on Wednesday, June 2, 1937, about 11:00 o'clock P. M., he, with William Hunter and D. P. Hunter, other employees, attempted to leave the plant by way of a freight train bound for Pittsburgh; that in climbing over a gondola car they were seen by members of the C. I. O. picket line, who turned a good-sized spotlight on the car and held it there; that the train, instead of gaining speed, slowed down and about a dozen members of the picket line attempted to get in the car to drag Boger and his companions out; that during this attempt he was struck with a club on the eye, on the chin, on the right elbow and on the right hand; that he and his companions managed to stay in the car until it got to a place where they could alight; that thereafter, and on the following Saturday, he returned to his work in the plant by going to Ashtabula, Ohio, and riding

a freight train to the mill. Respondent believes that the witnesses, William Boger, if permitted, would so testify.

Respondent further offers to prove that Charles Snyder, an employee of respondent at its Warren Plant, was out of the mill at the time the strike was called and on Sunday evening, June 6, 1937, at about 7:30, with another employee, Walter Porter, attempted to enter the plant in an automobile; that as they came down South Pine Street he put the car in second gear and speeded it up to break through the barricade, consisting of saw horses, erected by the police department at Pine and Walnut; that it was raining at the time and the streets were wet; that after passing the barricade he came on down towards the main gate, when C. I. O. pickets stepped from between cars and in an attempt to void striking them, his car started skidding; that the car turned sideways and ran against the fence near the entrance to the mill, at which point rocks were thrown at them by pickets, also armed with clubs; that one shot was fired; that the windows of his car were damaged by rocks and that a club was thrown at him; that his car was taken away by the police from the plant to a public garage and later moved to a private garage. Respondent believes that the witnesses, Charles Snyder, Frank Kenstein, C. E. Boley, W. F. Bartholomew, Kenneth W. Harris, Frank Mayers and Walter L. Porter, if permitted, would so testify.

Respondent further offers to prove that Alvin Morton, an employee of respondent at its Warren Plant, on the day the strike was called, went home for a change of clothes and attempted to return to his work but was prevented from doing so when the C. I. O. pickets closed the gate; that he tried to get in on the 28th day of May at about 8:30 o'clock A. M. near the playgrounds on South Pine Street; that at said point a C. I. O. picket asked him if he worked

there and later said "Have you got a card?"; that Morton said "I have no card."; that the C. I. O. representative said "Why don't you get one?" and Morton said "I'll get one when I have to. I've got a job down there and the Company charges me nothing for it and Lewis will charge me $1.50 or $2.00 a month and I ain't going to pay him."; that one member of the C. I. O. picket line had a piece of pipe about six feet long with a sharp end on it and he said that if Morton did not get a card he would put it through him; that after further conversation the picket with the piece of pipe swung at him and Morton ran up on the property 8 or 10 feet at which point 8 or 10 of the C. I. O. pickets grabbed him and pulled him down; that said pickets thereafter took him across the street and started to pound and kick him; that Morton fought from the main gate down to the filling station with 8 or 10 of the said pickets beating him because he would not sign a C. I. O. card; that he fought with them for a period of about 30 minutes and then was able to break away and by way of an alley to approach his home at 224 Fulton Street; that as he jumped over the back fence at his home one of the men hit him on his hip; that during his flight those who chased him used clubs and threw stones at him; that as a result of the beating by said members of the C. I. O. his right ear was torn loose, his right knee was severely injured and some teeth injured so that one needed to be removed; that said pickets followed him and started to search his garage; that a short time thereafter he saw another employee of respondent who had just gone out of the plant walking on Pine Street towards town when a C. I. O. picket struck him over the head with a club. Respondent believes that the witnesses, Alvin Morton, J. J. Beck and J. M. Thornton, if permitted, would so testify.

Respondent further offers to prove that Harry Hall,

an employee of respondent at its Warren Plant remained in the mill at the time the strike was called, working Thursday night; that on Friday morning on account of personal business he decided to go to his home in his car; that as he and others left the plant every car in front of his was stopped by C. I. O. pickets; that he was asked to sign up and told them that he did not care to sign; that the man in charge of the pickets said "Well, we held your job for you in there. You're not going to get away with that"; that thereafter he put his car in gear and as he passed the C. I. O. pickets they broke the glass out of his car with clubs and attempted to strike him; that members of the C. I. O. tried to stop him at the DeForest Entrance, between the DeForest Entrance and the railroad tracks, at the railroad tracks and on Pine Street near Walnut Street with a barricade of wooden horses and men behind and in front of it with clubs; that he drove through this barricade and did not attempt to pass through it again until the troops came to Warren. Respondent believes that the witness, Harry Hall, if permitted, would so testify.

Respondent further offers to prove that Joe Perica, an employee of respondent at its Warren Plant remained in the plant when the strike was called; that on or about Wednesday, June 2, 1937, after he had finished his work and at about 7:00 o'clock in the morning having received a letter from his buddy to the effect that his mother was ill, he left the mill by way of the Carpenter Entrance and was stopped by C. I. O. pickets in the street outside; that he was questioned at that point by a group which quickly grew to approximately thirty; that after a conversation he told them he wanted to join the C. I. O. in order that he might get out to see his mother; that they asked him to walk up but he told them he was too tired and so they put him in the car and took him up to C. I. O. headquarters

where one of the men said he was going in to see the big boss; that thereafter said member of the C. I. O. came back and stated that it was necessary to take Perica to bigger headquarters; that with four C. I. O. men in the car it was driven out South Street towards Leavittsburg followed by four other cars; that as they reached Leavittsburg a turn to the right was made and on a side road, they made him strip off all his clothes; that therafter they started beating him with their fists and a club; that a car came down the road and upon seeing it the men who had been beating him ran; that he thereafter found his clothes and came back to town by way of a freight train at 5:00 o'clock in the afternoon, getting into the plant where he remained until the troops came. Respondent believes that the witness, Joe Perica, if permitted, would so testify.

Respondent further offers to prove that George Cox, an employee of respondent, at its Warren, Ohio, plant, remained in the mill when the strike was called; that about a week later he went to his home and thereafter attempted to return to the mill one morning about 5 o'clock; that as he was coming down the Baltimore & Ohio track, seven members of the C. I. O. stopped him and formed a half circle about him and asked him where he was going; that he told them he was going to his home and that he lived down on Trumbull Avenue; that one of the C. I. O. pickets said he would walk down with him to see where he was going; that as they got down to the point past the Community House, where people cross over, he made an attempt to run for it and when he got into the parking lot, more members of the C. I. O. surrounded him and stopped him; that in the meantime the city police officers came and searched him and took him to C. I. O. headquarters, where he was approached by a C. I. O. picket with a raised club; that he was taken inside the headquarters and questioned, where

he told them he had not thought of signing up with them; that he was left at headquarters about a half hour when Harry Wines came in and again questioned him; that he told Wines he did not care to sign up and Wines said he would have to take a photograph and fingerprints; that Wines asked him if he were going back to work and he said he would like to get back to work, if he could; that Wines said "You better go on home and stay away from the plant"; that the police officers then took him to the jail and locked him up for about fifteen minutes and released him, without placing any charge against him; that said police officers said they locked him up to prevent him from being mobbed by the pickets and that they would hold him there until it was safe; that he rode from C. I. O. headquarters to the police station in the police cruiser; that he was put in the police car in front of the mill gate and hauled to C. I. O. headquarters, where the police took him into the headquarters; that the date of these happenings was on or about June 21, 1937; that the members of the C. I. O. picket line who stopped him were armed with clubs, some of them being baseball bats. Respondent believes that the witness, George Cox, if permitted, would so testify.

Respondent further offers to prove that Luzerne Casterline, an employee of respondent, at its Warren, Ohio plant, left the mill at the end of his turn, just previous to the calling of the strike; that his brother, Earl, was also an employee and wanted to get back to his work; that they met a couple of men on the street, talking to a friend of Earl Casterline, whom they supposed were all right; that said men wanted to get in the mill and asked Luzerne Casterline to take them to the mill in his automobile; that as soon as the C. I. O. pickets saw the car they stopped it and asked where it was going; that they informed the pickets

they were going to Niles, which they did; that thereafter the other two men wanted to go to Stop 37½ and try to get in there, but that he refused to drive to that point and instead brought the men to Pine Street and parked the car; that he left the car and walked across the street to a little beer garden, when one of the men came over and told him that his brother wanted him in the car at Main and Spring Streets; that he drove the car to that point, stopped, shut off the lights and turned off his motor; that as soon as he had done these things, he was surrounded by approximately twenty C. I. O. members, who beat him with clubs, baseball bats and other weapons, injuring him to such an extent that it was necessary to call Doctor LaCameron to his home; that the events related occurred about 10:30 or 11 o'clock P. M. on or about the 9th day of June, 1937. Respondent believes that the witness, Luzerne Casterline, if permitted, would so testify.

Respondent offers to prove that James Hall, an employee of respondent, at its Warren, Ohio Plant, remained in the mill for a week or two after the strike was called and then went to his home; that he later made an effort to get back in the mill to his work by way of Stop 37½, Pine Street, and the front gate, at about 2:30 A. M., June 6, 1937; that in said successful attempt to reach his work the C. I. O. members in the picket line at that time, in an effort to prevent him from entering the mill, threw flashlights, pieces of pipe, ball bats and sticks, damaging his car in the amount of $47.00, but without injuring him. Respondent believes that the witness, James Hall, if permitted, would so testify.

Respondent further offers to prove that Henry Jones, an employee of respondent, at its Warren, Ohio plant, remained in the mill during the strike; that about two weeks after the troops opened the mill gates, and at about

3 o'clock in the afternoon, he was on his way to the mill in his automobile; that members of the C. I. O. were lined up on both sides on Walnut Street and as he passed, one of them threw something at his car which broke the rear door window on the right-hand side. Respondent believes that the witness, Henry Jones, if permitted, would so testify.

Respondent further offers to prove that James Ricci, an employee of respondent, at its Warren, Ohio plant, was out of the mill when the strike was called; that the next morning he attempted to get into the mill to work, but was prevented from so doing by C. I. O. pickets in front of the gate, who were armed with clubs and other weapons; that he attempted on another occasion to return to work, but was again prevented; that he returned to work after the troops came and the gate was opened; that thereafter he was riding to work with another employee in an automobile coupe; that as they proceeded on Pine Street he heard a noise and felt a bump on his ribs which he found later was caused by a large rock thrown against the side of the car, just six inches below the glass; that thereafter he was at home when three or four members of the C. I. O. called at his home and told him to stay out of the mill, which he did for three days; that then he went and joined the C. I. O. and gave them $1.00; that he has not paid anything further in the way of dues and does not expect to pay anything further. Respondent believes that the witness, James Ricci, if permitted, would so testify.

Respondent further offers to prove by Mrs. George Taylor that one Lackvadio came to her while her husband was in the mill operating the open hearth restaurant; that said Lackvadio told her that if she did not get him to come out the mill that he would blow his brains out as soon as he saw him; that said Lackvadio continued to threaten her

until she had him arrested. Respondent believes that the witness, Mrs. George Taylor, if permitted, would so testify.

Respondent further offers to prove that Dan Dillon, an employee of respondent at its Warren Plant, remained away from the plant during the strike; that after he returned to work, and on July 5, 1937, shortly after 10:00 o'clock in the evening, he was on his way home in his automobile; that he went by way of Highland Avenue to Third Street and saw members of the C. I. O. standing along the road, two by two, with bricks in their hands; that they called upon him to stop, which he did, because he knew the men, and one of them ran out and hit him on the left shoulder immediately; that another opened the door of his automobile and threw his bucket into the field; that another hit him on the left cheek; that he said "All right, George" and told them he was going to work; that he stopped to see his foreman and told him, if it kept up like that, he wouldn't go to work any more; that the man who struck him was George Huwanna, a member of the C. I. O.; that he later hauled some men, whom he had previously hauled, to work and George came to his house saying that if he continued they would upset his car; that men came to his house and finally prevailed upon him to sign up with the C. I. O., but that he has paid no money and that he joined the C. I. O. because he had to avoid getting hit again. Respondent believes that the witness, Dan Dillon, if permitted, would so testify.

Respondent further offers to prove that Frank Cherpack, an employee of respondent at its Warren Plant, remained in the mill during the strike; that after the gates were opened, and on or about the 13th day of July, 1937, at about 6:30 o'clock in the morning, as he drove to his work, he had to pass ten C. I. O. pickets right along by the fence near Highland Avenue and Dover Street, at which

time they showered him with rocks, breaking the windshield of his car and damaging the front door and panel of the left-hand side. Respondent believes that the witness, Frank Cherpack, if permitted, would so testify.

Respondent further offers to prove that Thomas J. Davies, an employee of respondent at its Niles plant, on or about July 12, 1937, was hauling some of the girls to work; that his car was stopped by C. I. O. pickets; that thereafter some of the men from the plant followed him for protection; that he told them he did not think it would be necessary for them to follow; that soon thereafter he noticed a big Hudson car following him; that he drove into the police station and asked for assistance, at which time the car drove away; that later the police cruiser car followed him at about a distance of two blocks; that when he reached the home of one of the girls 5 or 6 members of the C. I. O. were at the house trying to persuade the family not to allow the girl to go to work; that when he stopped at this house Steve Tripodi and the others ganged around his car and Steve attempted to get the car door open; that during the tussle over the opening of the door the police cruiser came up and the Chief of Police grabbed Steve Tripodi and took him down to the station; that Leroy Bridgens, a C. I. O. member was the driver of the big Hudson car that followed him and that the said Bridgens has attempted several times since that time to cause him to have a traffic collision. Respondent believes that the witness, Thomas J. Davies, if permitted, would so testify.

Respondent further offers to prove that Joe Titch, an employee of respondent at its Warren plant, went out of the mill when the st ike was called; that about two weeks later he returned to his job in the hot mill; that on or about the 6th day of August, 1937, his neighbor, George Schnullo, a member of the C. I. O. who was still out on

strike, came to his home after he had returned to his work with his son and his daughter; that the son struck him in the eye; that the daughter took a piece of 2x4 lumber from the garage and hit him in the back, and that the old man got a bottle of milk and hit him on the head because he was working in the mill and they were on strike, and that he signed with the C. I. O. but never paid any dues. Respondent believes that the witness, Joe Titch, if permitted, would so testify.

Respondent further offers to prove that Tom Allison, an employee of respondent at its Niles Plant, was out of the mill at the time the strike was called and although he made three different attempts to get back to work, was prevented from doing so by C. I. O. pickets with clubs and other weapons in their hands; that his neighbors, members of the C. I. O., frightened and worried his wife so much that it was necessary to take her to Dr. Bloom; that on or about June 28th, after he left the plant and came home on the bus, his son met him at the bus and he was escorted to his home by a police car; that his home was picketed and that the word "SCAB" was painted on the sidewalk in front of his house in large letters. Respondent believes that the witness, Tom Allison, if permitted, would so testify.

Respondent further offers to prove that Oswald Lewis, an employee of respondent at its Warren Plant, was in the mill at his work during the strike; that on or about July 8, 1937, at 3:00 or 3:30 o'clock in the morning, he drove to the premises of a place called "The Wagon Wheel"; that as he got to the curb he saw a gang standing in front and asked if Jack Lanihan was there; that some of the gang then shouted: "There is one of them let's get him."; that immediately thereafter he was pulled out of his car by four men and a battle followed, in which

he was bruised and his forehead lacerated from the hairline to his eyebrow, necessitating twelve stitches; that this injury was sustained when he was knocked through the window of the Angel Printing Shop. Respondent believes that the witness, Oswald Lewis, if permitted, would so testify.

Respondent further offers to prove that Pio Palmero, an employee of respondent at its Niles Plant, was out of the mill during the strike; that he attempted to go back to work but was unable to do so; that on or about July 5, he was called to work at a time when he and his wife were away from the house and his daughter at home; that a C. I. O. picket was in his house who inquired his whereabouts and who then said, "Tell your father not to go to work tomorrow; I lay for him"; that on account of said threat he did not go back that day and about the week later found Frank Caruso who took him in his car; that at about 1½ blocks from the main gate at the Niles plant C. I. O. pickets threw stones damaging the car. Respondent believes that the witness, Pio Palmero, if permitted would so testify.

Respondent further offers to prove that Eugene Lazzari, an employee of respondent at its Warren Plant, remained in the mill at the beginning of the strike; that his little girl was ill with a mastoid ear; that after four or five days he talked to his wife on the phone and was informed that the baby's ear had been lanced; that he told his wife he would come out that night and return again; that at about 11:00 o'clock that night after he had finished his work he informed his foreman he was going home to see how the little girl was and would come back; that he found a hole to get out and left with a colored fellow from his department; that after he had sneaked out he crawled up along the road and mixed right in with the pickets; that he

started for home unnoticed; that when he turned to go down the street a foreman on the picket line hollered and the pickets started running after him; that he stopped and conversed in Italian with one of the pickets inviting Johnny to leave the picket line and go in the front gate; that Johnny said "If you make an attempt to go back in I will break my club over your head"; that he continued to his home and saw his wife and at about 3:00 o'clock in the morning started back to the mill; that a car was parked and as he started walking up the street the men got out of the car and he ran back into the house where he stayed for two weeks; that the C. I. O. members kept watch over him and sent word that if they got him on the street they would fix him up; that being unable to get to work he went to Cleveland and to Pittsburgh; that when he came home he was asked to join the C. I. O.; that his wife was afraid and said "You had better sign it to be on the safe side—you don't have to do what they want to do but just sign it. You're going to do it just for the sake of us. In case you're not here you know they won't harm the kids"; that he thereafter signed a C. I. O. card to have peace at home; that he made an attempt to get to work and the call came to his home from another employee asking him to meet him at a certain place and attempt with him to catch a freight to get into the mill; that this employee did not keep his appointment but that he was met by others in the night who started throwing stones at him; that he returned to his home and did not go into the mill until he could ride in; that thereafter on a Sunday morning when he was in bed a member of the C. I. O. called at his home, forced his way in and came into the room where he was sleeping, calling him vile names; that he ordered him out and when he refused to go threw him out the door, knocked him off the porch and then proceeded to knock the "daylights out of him"; that his wife called the po-

lice and that he dragged the intruder out on the sidewalk for the police; that the intruder left the place before the police came and started to run when they came on the scene; that the police fired in the air to get him to stop which drew the attention of railroad police who caught him and brought him back for identification; that he went down the next day and swore out a warrant for the fellow whose name he believes is Mike Melitch; that during his time in the mill the officers and agents of respondent told him that if he wanted to stay he could and if he didn't want to stay it was up to him—he was his own boss; that he was well fed during the time he was in the mill; that during the time he was at home at about 11:30 o'clock one night he smelled smoke and found only rags burning on the wood pile in the rear of his house. Respondent believes that the witness, Eugene Lazzari, if permitted, would so testify.

Respondent further offers to prove that Neff Carothers, an employee of respondent at its Niles Plant, remained out of the mill during the strike; that his home was picketed by two C. I. O. men for about a week after he returned to work on or about June 29, 1937; that when he made an attempt to get into the mill at the time the cable was up, C. I. O. members William Morgan said "You go in there and I'll cut your————————throat. You watch it."; that he made another attempt, but was prevented from entering the plant by other C. I. O. pickets; that for the balance of the time until the cable was let down he remained away from the plant. Respondent believes that the witness, Neff Carothers, if permitted, would so testify.

Respondent further offers to prove that J. R. McLean, an employee of respondent, at its Warren plant, went home the night before the strike was called; that he came down for work next morning and was prevented from entering

the mill by C. I. O. pickets; that he came to work the second morning after the strike and was again prevented by members of the C. I. O. from entering the mill; that he again made the attempt on the third morning and was again prevented from returning to work; that he remained away from the plant thereafter until on or about the 5th day of July when he was riding in a bus to the plant to see whether or not he could get his job back but as the bus came from Walnut onto Pine and had proceeded down Pine about half a block a couple of hundred C. I. O. pickets were congregated there; that as the bus proceeded down the street some one of the group threw a brick which broke through the window and struck him on the shoulder; that his shoulder was bruised by the brick and his lip was cut by glass; that he reached the employment office and was taken to the hospital where his wound was dressed. Respondent believes that the witness, J. R. McLean, if permitted, would so testify.

Respondent further offers to prove that Maxwell Heath, an employee of respondent, at its Warren plant, remained in the mill when the strike was called; that he went home the next day through the picket line and returned back again early in the morning; that he made the attempt again on the 29th day of May and succeeded in getting out; that early in the morning of the next day he lost his way in the swampy field and did not reach the plant until daylight; that he attempted this devious route because the mill gates were surrounded by C. I. O. members carrying ball bats and various kinds of clubs; that on the morning in question he went down Niles Avenue almost to the top of Bolandale Hill and down the railroad track where he lost his way in the darkness; that he crossed Pine Street below the Open Hearth and sat under some brush until he thought he saw his way clear; that

he made a dash for it and just got to the brush on the Republic side when he heard them yell and members of the C. I. O. started after him; that he got across the old road and across the barbed wire fence and fell down a time or so in the water; that he was almost exhausted when perhaps 20 of them surrounded him in the swampy field, all of whom were carrying clubs and ball bats; that he was taken back out on the road by the crowd, members of which grabbed him by the collar and tore his shirt; that he was surrounded by from 75 to 100 C. I. O. pickets at the road and placed in a car and 5 of them got in the car with him and took him up to C. I. O. headquarters on Pine Street; that the picket who did the talking said "We'll take you up to the Judge"; that they took him to headquarters and stopped right in front of a big City police officer; that the man in charge got out and said to the others who remained in the car "Lock these doors inside. This mob up here will get him. You had better lock the doors"; that said leader went to C. I. O. headquarters and brought out a man and told him "Here is the fellow; we caught him. He was going into work and we got him. What will we do with him?" That the man, called the Judge, said "I'll give you fellows at lot of margin. I'm busy at a meeting in here."; that the man, called the judge, went back into the C. I. O. headquarters; that thereafter they inquired as to his name and address which he told them truthfully; that they started in the car in the direction of his home and on the way the leader said "We've got a rope under the seat. We've got everything we need."; that during the trip they talked about handcuffs they had and one of them said "I know where there is a tree with a limb about that big." that they also said "We'll tar and feather you"; that they also asked if he had any word he wanted sent to his wife; that they stopped the car in front of his house and the leader took a large rag and

placed it over the license plate and then started up the road; that said leader said "The State cop might come along and I don't want him to see that rag over the car. We had better drive in here"; that thereafter they drove to an old fence row and among the brush there parked the car behind the brush so that his wife could not see the car from the house; that thereafter the leader and two others went to the house, leaving two men in the car to guard him; that the leader with a club in his hand called his wife out and asked her a lot of questions; that they thereafter led him out of the car and one attempted to strike him but the leader said "Don't strike him; don't strike him now"; that they told him to go home and said "Don't look back. If you look back we'll get you;"; that he tried for 24 days to find some way to get back into the mill but was unable to do so; that at last he went up to a little village called Spokane, hopped a freight and rode down to the plant and jumped off just two days before the injunction was enforced; that the ringleader of the gang which abducted him was A. D. Dadison; that one, Harry Wolford, told his son and another "I hauled the man away who was shooting at the airplane; got him away from the scene in my car." Respondent believes that the witness, Maxwell Heath, if permitted would so testify.

Respondent further offers to prove that John Markovich, an employee of respondent, at its Warren plant, remained in the plant during the strike for twenty days and was at home three days; that during the time he was in the plant his car was parked on Pine Street in front of the Reserve; that on or about the third night the pickets pushed the car down and smashed all the glass, cut the top, smashed the radiator, smashed the spark plugs, cut the tires and generally damaged the car; that during the time he was in the plant he was told that, so far as Repub-

lic Steel Corporation was concerned, he could go or come as he chose; that he remained because he could not have gotten back in on account of the picket lines, if he had gone out; that he did manage to get in and out once for a period of three days, by way of a freight car on the railroad; that during the time he was in the plant his superiors told him not to throw anything, to be careful, and not to start anything with the C. I. O. pickets on the outside. Respondent believes that the witness, John Markovich, if permitted, would so testify.

Respondent further offers to prove that Charles Suchay, an employee of respondent, at its Warren plant, remained in the mill during the strike; that after the gates were opened, when he left the Open Hearth, C. I. O. members came to him and asked where he was going, and a member by the name of Walko struck him when he said "none of your business"; that other members of the C. I. O. threw stones. Respondent believes that the witness; Charles Suchay, if permitted, would so testify.

Respondent further offers to prove that Guy McLeod, an employee of respondent at its Warren Plant, remained in the plant during the strike; that so far as the officers and employees of Republic Steel Corporation were concerned he was free to come and go if he were able to do it; that early in July one night as he was coming down Main Street in his car and after he had passed the City Limits he ran into a gang; that a flashlight slowed him down and he found when he slowed down a group of C. I. O. pickets at the corner of 8th and Main just outside the City Limits; that as soon as he recognized who had attempted to stop him he speeded up the car and the members of the C. I. O. group broke the front windshield and the back glass of his car with stones; that at said time he was accompanied by John Lavella and on his way to work; that of the group

he recognized Mike Maco who was arrested and charged with the destruction of property; that the damage to his car amounted to $67.00. Respondent believes that the witness, Guy McLeod, if permitted, would so testify.

Respondent further offers to prove that Ralph F. Kehn, an employee of its Warren Plant, remained away from the mill during the strike because his wife was in business; that he returned to work about June 30, 1937; that on or about July 3, 1937 his friend Charles Kramer whose father is C. I. O. Treasurer at Niles asked him to answer any phone calls because he had given Kehn's number; that Charles Kramer was called to work on Saturday and that he came back with Kramer in Kramer's car at about 11:00 o'clock in the evening of the third day in July; that Charles Kramer's father and brother met them at the front gate and told Charles Kramer that he need not consider him as his father any longer; that arrangements were made for Charles to stay at Kehn's house until he found another place; that Charles went to get his clothes while Kehn was arranging a bedroom for him, when a knock was heard at the door and he answered the door; at that time Kramer's father and brother Eddie appeared at the door and started an argument, when unexpectedly, Kramer hit Kehn and drove him back into the room and followed him in, that a fight ensued with Kramer and his father on one side and Kehn on the other until the odor of ammonia and formaldehyde from the broken beauty shop equipment stopped the fight; that his wife called the police but that they did not arrive after the Kramers had left; that he signed an affidavit against Eddie Kramer who plead guilty and paid a fine of $25.00 and costs; that it cost him $87.50 wholesale to replace the equipment of his wife that had been destroyed; that he signed up with the C. I. O. so he could get a card and sticker for his car to

get near the mill to talk to men he knew. Respondent believes that the witness, Ralph F. Kehn, if permitted, would so testify.

Respondent further offers to prove that W. B. Laughlin, an employee of respondent at its Warren Plant, remained in the mill during the strike; that after the gates were opened he drove his car back and forth to work; that on or about the 5th day of July, and during the night season, as he was driving his car down Main Street he saw a motion at the side of the road and an object broke the windshield of his car and damaged the hood to the extent of $24 and some cents. Respondent believes that the witness, W. B. Laughlin, if permitted, would so testify.

Respondent further offers to prove that Bertha Brophey, an employee of respondent, at its Niles plant, remained in the plant during the strike; that when they were allowed to go home she and Eva Cowher, another employee, was followed to their homes by Charles Marsh, a C. I. O. representative, and another, with a sign on which was written "Republic Steel strike breaker"; that said men paraded in front of her house from 5 o'clock in the evening until 7 o'clock in the evening; that after they had paraded for a time she got out the garden hose and was told by Marsh that it was a penitentiary offense; that the C. I. O. car that was with the pickets left and soon a policeman of the City of Niles came to her home and asked her not to play the hose on the pickets any more; that she remained in the mill without coercion of any kind from respondent and that ample facilities were furnished the women in the plant during the strike and that they were well chaperoned. Respondent believes that the witness, Bertha Brophey, if permitted, would so testify.

Respondent further offers to prove that Clifford

Cooke, an employee of respondent, at its Youngstown plant, was not working at the time the strike was called but was scheduled to return to work Thursday afternoon at 3:00 o'clock; that on May 26, 1937, at 11:15 P. M. he drove around the plant and as he was driving down Poland Avenue in the City of Youngstown and went to make a turn onto the Center Street Bridge, he was stopped by a City police officer and told to keep straight on down Poland Avenue; that he drove as far as Stop 7 and there pulled into the middle of the street intending to turn into the driveway of The Akron Soap Company in order to turn around and go back to Youngstown; that as soon as his car came to a stop the C. I. O. pickets on duty there recognized him and shouted "There is Cooke's car"; that two of the said pickets, whose names are Rock Birinsky and Joe Strickek, immediately jumped on his running board, one on the left-hand side, who pushed his head through the window, and one on the righthand side who caught ahold of his steering wheel and gave the car a jerk; that both of said C. I. O. pickets hit him on opposite sides of the head at the same time; that they got him out on the sidewalk and that Rock Birinsky said "Come on, let's murder the————" and called the others to come on, saying "Let's get the———— ————out of the car and murder him. He is the———— ————that interfered with me organizing in the Coke Plant"; that some one of the pickets took hold of a handfull of road gravel and took the paint off one side of his car and another with an iron bar brought it down on the back of the car; that eventually they left off pummeling him and someone turned his car around and Joe Strickek said "You'd better get in your car and go home because if you ever come back here we will murder you"; that at the time the men who surrounded him wore C. I. O. buttons and had either clubs or pieces of pipe and baseball bats; that Rock Birinsky, in addition, had on his hat a sign

"Committeeman"; that he got back in the mill on June 3, 1937 through an open field and thus avoided the pickets; that he was instrumental in signing up men on the back-to-work movement; that in connection therewith no one officially connected with the plant in any way counseled, advised or assisted him, but that he was asked by Mr. John L. Smith, President of the movement, to assist him in that work. Respondent believes that the witness, Clifford Cooke, if permitted would so testify.

Respondent further offers to prove that Sam Oliphant, Jr. an employee of the Youngstown Plant, remained in the mill until Thursday morning, May 27, to shut the valves and water off as a part of maintenance operation; that during said time he left his automobile in the parking lot; that when he came out in the morning he found that all the tires were pulled off of it, spark plugs knocked out, the carburator broken, the gas tank off; the radiator cap broken off, the upholstering torn up, the floor boards torn up and the hood bent, rendering it completely worthless and useless; that he just left his car there; that he signed a petition in the mill to stay at work and not go out on strike without any one connected officially with the respondent in any way saying anything to him about it; that previous to this strike he attended some meetings in connection with which certain foremen spoke telling them that it was not necessary to join any union in order to hold their job and that they were free to join or not to join as that would in no wise affect their employment; that no one connected with respondent in any official capacity ever tried to influence him in connection with joining or not joining any union; that he called at the office of the "Back to Work" movement at the Dollar Bank Building and there signed a petition to return to work; that he signed the same voluntarily for the simple reason that he wanted to go back

to work. Respondent believes that the witness, Sam Oliphant, Jr. if permitted, would so testify.

Respondent further offers to prove that Pete Petretich, an employe of respondent, at its Youngstown plant, on Thursday, May 27, 1937, went to the gate at Stop 5 Poland Avenue, Youngstown, Ohio, to go to his work in the electric weld tube mills; that when he arrived at said gate there were a number of C. I. O. pickets there; that Thomas J. Zimba, whom he well knew, came up to him and grabbed him by the shirt and said "I don't want to hit you, but you can't go in to work"; that thereafter another C. I. O. member, well known to him, Joseph Campanzi, came up and hit him on the head with a club; that thereafter another C. I. O. member, Walter Milnik, also well known to him, came up to him and hit him on the head and that the last two mentioned men told him to go back home; that he then ran up the Erie Railroad tracks to the automobile junk yard and there two other members of the C. I. O. Domenic Marciano and Angelo Ambrosia, both well known to him, hit him on the head with their fists and pushed him back down to Stop 5 and into the crowd and told the other pickets to watch him as he was trying to get in to go to work, and that thereafter he rode a bus to his home. Respondent believes that the witness, Pete Petretich, if permitted, would so testify.

Respondent further offers to prove that William Fritz, Jr., an employee of respondent at its Youngstown Plant, was out of the mill during the strike; that he heard of plans for reopening, took his lunch pail and drove to the hill back of Poland Avenue and started walking towards Stop 5, intending to remain some distance away to see if the men were going in the mill; that he met a man he knew coming away from the crowd, who told him he had better get rid of the lunch pail he was carrying as a man had just

been mobbed for having a lunch pail; that the same friend told him that the plant was not going to be reopened so he turned back to get his car and go home; that as he did so, a car with C. I. O. emblems on it, and containing four men, drove by, pointing at the pail; that this car went up the street and turned around and in the meanwhile he threw his lunch pail into some bushes; that this C. I. O. car soon returned and the men got out of the car, one of whom wanted to hit him but was restrained by the others; that said C. I. O. members asked him where he thought he was going and where his pail was and he told them he threw it away; that the C. I. O. member then said it was a "————good thing" he hadn't denied having it; that they thereafter asked him if he was a C. I. O. man and he told them that he was not and didn't exactly want to be; that they then suggested that he get in the car and go down and join up; that in fear of bodily injury he accompanied them to the office on Poland Avenue and while there some other pickets brought in two more men that had said they would not sign, but had been hit several times; that his name, check number and address were taken but that he had no money with which to pay dues; that he thereafter left and did not return until the plant was reopened; that he signed the back-to-work movement at his home, the petition having been presented to him by some of the boys with whom he worked; and that previous to that time he had signed a petition in the laboratory to the effect that they wanted to keep on working; that no one connected with the Company in any official capacity ever said anything to him or tried to influence him in connection with either the anti-strike petition or the back-to-work movement. Respondent believes that the witness, William Fritz, Jr., if permitted, would so testify.

Respondent further offers to prove that Mrs. Charles

Potoky, is wife of Charles Potoky, an employee of respondent at Warren, who stayed out of the mill for one month after the strike was called, returning to work June 26, 1937; that after he returned to work he remained in the mill for about ten days at her insistence because Frenchy Garnet and Perrine came and threatened her man's life; that said Garnet and Perrine came to her house inquiring why her husband went to work and told her he would have no job after the C. I. O. won; that Perrine said among other things "I wouldn't guarantee for your man's life"; that these men and others came to see her three times; that by reason of said visits her children became frightened and said "Mom, we had better sleep in the grape vine than sleep in the house"; that thereafter they had a neighbor, one of the Popovich boys sleep in the house with them. Respondent believes that the witness, Mrs. Charles Potoky, if permitted, would so testify.

Respondent further offers to prove that James Zervas, an employee of respondent at its Warren Plant, remained in the plant during the strike; that while he was in said plant his wife called him with reference to damage done to his home; that on or about June 3, two windows were broken in his home at about 2:00 o'clock in the morning by rocks thrown at his house; that on another occasion someone broke the same window again with a hatchet and also chopped the screen door and broke the door glass in each side; that the neighbors refused his wife the use of the phone so she could call him in the mill; that he thereafter arranged for a telephone to be installed in his home; that the telephone was installed on one day and the next day the wires leading to it were cut with pliers; that he had his automobile parked in a garage down town; that members of the CIO told him they were going to put a bomb in it so that he immediately after the window was

broken called his wife and asked her to take it to th garage; that his wife and children were greatly frightene by the occurrence above mentioned so that he now has t sleep with a shotgun on his pillow. Respondent believe that the witnesses, Mr. and Mrs. James Zervas, if pe mitted, would so testify.

Respondent further offers to prove that Mrs. Watso Tynes, is wife of an employee of respondent at its Wa ren Plant who remained in the mill during the strike; tha on or about June 6, 1937 at about 3:00 o'clock in the morn ing while she was in bed a good sized stone, 7 or 8 inche in diameter, was thrown through the front window dow stairs breaking the upper and lower sashes and glass; tha thereafter one day she was driving in an automobile an while going through the CIO picket lines her car was struc by them. Respondent believes that the witness, Mrs. Wa son Tynes, if permitted, would so testify.

Respondent further offers to prove that Tony Secur an employe of respondent, at its Warren Plant, remaine in the plant during the strike; that he caused his wife an children to be moved out of the house after he had receive threats that they were going to murder his children; tha about 3:00 o'clock in the morning the two down stair windows were broken in his house; that during the time h was in the mill he left the plant to get a glass of beer an upon one occasion when he was in the back room they aske him out where 6 or 7 C. I. O. pickets were waiting for him that at that time he told them that if they laid hands o him he would shoot. Respondent believes that the witnes Tony Securo, if permitted, would so testify.

Respondent further offers to prove that Victor M Kinkis, an employee of respondent at its Warren Plan remained in the mill during the strike; that he is buildin a new house for a residence; that about three days after th

mills were opened his wife awakened him about 1:00 o'clock in the morning having been startled by the sound of glass falling; that he lives in the rear of the new house in a small building and that when he went out to investigate he found all the windows broken out; that it cost him $47.00 to replace them. Respondent believes that the witness, Victor M. Kinkis, if permitted would so testify.

Respondent further offers to prove that Nick Tures, a bundler of respondent at its Warren Plant, together with his wife and children, were intimidated and threatened by members of the C. I. O. and particularly by one, Steve John; that members of the C. I. O. with stones, broke windows in his home, used vile language toward his wife and children, threw a bottle of pop through the window of his home; that said Steve John instructed his children to beat up the small children of Tures; that while he was in the mill at Warren there was a C. I. O. member threw tacks in his house; that as a result of the violence and intimidation his wife and children were forced to leave their home and live temporarily with Tures' brother in Youngstown. Respondent believes that the witness, Nick Tures, if permitted, would so testify.

Respondent further offers to prove that Ruth Allison is the wife of Tom Allison, an employee of respondent at its Niles Plant; that her husband was out of the mill during the strike and was unable to get into the plant until the National Guard arrived; that pickets surrounded their home upon a report that Mr. Allison had gone to work and paraded around the home from 9:30 o'clock in the morning until 1:30 o'clock in the afternoon; that a Mrs. Cobner, just before the time when Mr. Allison went back to work said that it was a good thing that he did not go to work or there would have been a murder in the neighborhood; that for a period of two weeks after Mr. Allison went back to work she was continually frightened by her neighbors who were

of the C.I.O. so that she had to sit up every night; that after Mr. Allison went back to work the word "Scab" was written on their sidewalk with enamel; that Mrs. Sandy Ross, shortly after the strike was called, said that if Mr. Allison did not sign up with the C. I. O. that they would be forced to move out of the neighborhood. Respondent believes that the witness, Ruth Allison, if permitted, would so testify.

Respondent further offers to prove that Etta Beagle, wife of J. M. Beagle, an employe of respondent at Warren, Ohio, during the time her husband was in the mill, operated their gasoline filling station; that on June 4, 1937, while she was alone attending the filling station, a car containing five men drove up; that she, thinking they were customers, went out and they demanded to know where her husband was; that they said to her that if he did not come out of the mill at once they would blow up their filling station and also their home; that thereafter she was so frightened that she was unable to be alone at any time. Respondent believes that the witness, Etta Beagle, if permitted, would so testify.

Respondent further offers to prove that Mrs. Patrick Casey, whose daughter Anna stayed in the Warren plant during the strike, was approached by William Elliott, a C. I. O. picket, who came to her house and told her that she better have her daughter examined and also that she should get her to leave the plant. Respondent believes that the witness, Mrs. Patrick Casey, if permitted, would so testify.

Respondent further offers to prove that Grace Rankin, wife of W. B. Rankin, an employee of Respondent at Warren, Ohio, was approached by one Harold Boyd and one Dadisman and six others during the week preceding July 4th last; that said men demanded to know where her hus-

band was; that later some 50 C. I. O. pickets congregated across the street from her home; that on several occasions thereafter Boyd and others came to her home and said to her, "We have a nice little room fixed up for him (one Howe who had gone back to work) and before many days your husband will be in there and we want him to see the light". Respondent believes that the witness, Grace Rankin, if permitted, would so testify.

Respondent further offers to prove that Mrs. Elizabeth Covell, a resident of Youngstown, Ohio, whose husband was employed by respondent at Youngstown, was awakened on the morning of June 19, 1937, at about 2 o'clock A. M., by a rock being thrown through a window at the rear of her house, near her bedroom; that at said time her husband was in the mill in Youngstown; that the rear door of her home was broken; that the front awning was cut and torn; that flowers and flower boxes were destroyed; that she later notified the city police; that she saw, immediately after the occurrences related above, one Ray Simms drive an automobile from the driveway next to her house and proceed at a fast rate of speed on Falls Avenue; that she did not see the acts of violence above mentioned actually committed, but that she knows of no one, except said Ray Simms, Art Fletcher and Dan Linhart, members of the C. I. O., who would cause the trouble. Respondent believes that the witness, Mrs. Elizabeth Covell, if permitted, would so testify.

Respondent further offers to prove that Carrie Flanigan is the wife of an employee of respondent at Youngstown, Ohio; that on May 30, 1937, in the afternoon, an automobile containing five men and bearing a card on the side of the automobile marked "C. I. O. Flying Squad", stopped in front of her house and that one of the men came to her door and demanded that she 'phone her husband and

tell him to leave the mill; that they would give her th hours to get him out of the mill and that if he refused would be shot; that later in the same evening the same tomobile again came to the house while she was at house of a neighbor for protection. Respondent belie that the witness, Carrie Flanigan, if permitted, would testify.

Respondent further offers to prove that Eli Parkovi a member of the C. I. O., carried a club and took his regu turn on the picket line about respondent's Warren Pl during the strike being generally stationed on the hill n the intersection of the road from Stop 37½ and South P Street; that the said Parkovich shook his fist and yelled respondent's employees at work in its plant and upon occasion when said employees were stretching a string make a white line to divide the plant airport said in wo or substance—"You have that rope in your hand now we will have it around your neck before night". Respo ent believes, that the following named witnesses, if pern ted, would so testify:

Samuel C. Watkins
Charles Edward Brown
Archer F. Kagy
Matthew Cariglia
Glenn Hillyer
George Dout
Habbard E. Brown
Frank Roviscinec
James V. Polifrone
Edward O'Malley

Respondent further offers to prove that Nedelco Las vitch, also known as Nick Lascovitch, an employee of spondent at its Warren Plant, remained in the plant wh the strike was called, leaving his wife Mary and three c

dren at home; that John Matock, a member of the C. I. O. the next day said to Mary, "I know Nick is in there and if you don't get him out I will set your house on fire and I'm going to break Nick's head too"; that the same John Matock later told her that she had better watch out or she would also get what she was looking for; that she was advised by a friend that the number of her house had been mentioned at the C. I. O. meeting so that it might be burned; that, greatly frightened by said threats, she left with her children for refuge in the home of a friend and, in response to numerous threats, she did, on May 28th, 1937, send her husband a telegram telling him that the children were ill and asking him to come out of the mill; that on May 29th at about 3:00 o'clock in the afternoon, Nick Lascovitch came out of the mill in response to said telegram and was met at the gate of respondent's plant by Mary Lascovitch and the children; that as this group passed the picket line, Rudy Petrovich, a C. I. O. picket, joined them and walked beside Nick down Pine Street; that said John Matock was at that time standing at the corner of Walnut Street and Pine Street with a baseball bat in his hand; that he followed Rudy and Nick across the street and stepped up beside them; that said Matock swore at Nick and tried to strike him and did strike him on the left leg inflicting a serious injury thereon; that Rudy Petrovich pushed John Matock back three or four times as he attempted to strike Nick on the head; that Matock finally did hit him on the left side of the body and then left and went back to the picket line; that Rudy Petrovich took Nick to the C. I. O. headquarters and said, "You sign. You have a family of kids and you don't want any trouble"; that Nick then signed a C. I. O. card and said, "What kind of an organization is this that fights and hurts other men?"; that the man in charge at C. I. O. headquarters said "Shush" and then sent him in a car to Dr. Willowby; that the man who took him to said doctor's office said to the doctor, "Charge this

to the C. I. O."; that the next day Nick was taken to the hospital for x-ray pictures and that thereafter the lodge doctor took care of Nick until he was able to return to work on July 26, 1937. Respondent believes that the witnesses Nedelco Lascovitch and Mary Lascovitch, if permitted, would so testify.

Respondent further offers to prove that Elmer Shaffer, an employee of respondent at its Niles Plant, was picketed at his home by C. I. O. members George Bridgens, DeTalio, David Davis, Louis Vople, Shato Turk, David Orwig and LaPolla, who directed pickets; that loud speakers were used in front of his house with Mr. Payne, a C. I. O. officer, doing the talking; that Elmer Shaffer was interested in the back-to-work movement; that in connection therewith no officer or agent of respondent was in any way involved and respondent in no way dominated the same; that Nora Shaffer, wife of Elmer Shaffer, was engaged in the trucking business and also conducted a rooming house for various members of respondent in that vicinity; that the C. I. O. so threatened her drivers that they dared not operate her trucks; that she was in this manner caused to lose her business and most of her equipment; that the Shaffer home was listed as a "scab" rooming house and that the tenants vacated the same; that on numerous occasions members of the C. I. O. came to this house and invited Elmer Shaffer out on the street to fight; that he finally did fight, and that on account of the altercations between members of the C. I. O. and the said Elmer Shaffer, he, the said Elmer Shaffer, has been arrested upon two separate occasions. Respondent believes that witnesses Elmer Shaffer and Nora Shaffer, if permitted, would so testify.

Respondent further offers to prove that Louis Bock and James Davis, employees of respondent at its Niles Plant, remained in the mill when the strike was called;

that at said time the wife of Louis Bock was on the west coast where her father was confined to a hospital; that on the 4th day of June, 1937, said Louis Bock left the mill for the purpose of telegraphing some money to his wife and that the said James Davis accompanied him; that after they left the mill and were within about 200 yards of the DeForest Road they noticed two pickets armed with large clubs coming down the railroad tracks toward them; that they were immediately surrounded by twelve or more pickets and taken up on the hill to a large group of C. I. O. pickets, all the members of which were armed with clubs and one had an axe; that they were questioned as to their identity and then taken for a ride by Di Williams in a Packard automobile to the home of a C. I. O. member by the name of Swindler for identification; that Swindler was not at home but that Bock was identified by Swindler's daughter; that they were later taken on along the road to where Swindler was operating a tractor; that as they were talking Williams asked Swindler what to do with them and Swindler said, "Take them back to the camp and give them the works if they don't sign up"; that they were taken up the hill and put in the car, at which time two or three big foreigners slugged them with their fists; that they were then put in another car and taken to C. I. O. headquarters in the tent across from the main entrance to the Niles plant; that the man at the table there said "You don't have to join the C. I. O., But————"; that the foreigners who were C. I. O. members and armed with clubs said that if they did not join to turn them over to them and they would take them back to the hill; that they signed up because they knew that if they did not sign, the C. I. O. men would take them out and "use the wood" on them; that Bock was told to report for picket duty the next night, which he did, and thus got back into the plant. Respondent believes that the witnesses James Davis, Louis Bock, Neff Carrothers and Mrs. Neff Carrothers, if permitted, would so testify.

Respondent further offers to prove the following facts relative to the conduct of pickets and members of the S. W. O. C. and C. I. O. specifically at Rosenbaum's store, Youngstown, Ohio, June 8, 1937; that after the declaration of the strike, Ralph Elser, Sheriff of Mahoning County, Ohio, from time to time hired various citizens of said county to act as deputies for the purpose of preserving law and order; that on the above date some twelve citizens so duly appointed as deputies, but being totally unarmed, went to a certain clothing store known as Rosenbaum's, on Federal Street, the main thoroughfare of the City of Youngstown, to be outfitted with uniforms for duty; that immediately upon learning of this, large numbers of the S. W. O. C. and C. I. O., amounting to 700 to 1,000, gathered in said Federal Street, invaded the Rosenbaum store; that said members of the C. I. O. were under the leadership of one DeWitt and one Fortunato, in particular; that the greater part of said number of strikers were armed with clubs; that a loud speaker was mounted on a truck manned by C. I. O. members which gave out orders for procedure; that members of the C. I. O. committed assaults and committed bodily injury on one Gene Mayberry, one Havard Sahli, one Walter Crosley, one Anderson, one Schoenfelt, one Koberly and one Rolke; that said members of the C. I. O., after invading the Rosenbaum store, continued their assaults and threats, together with utterances of vile oaths; that as the result of the occurrences aforesaid, several of the C. I. O. were arrested; later, City Police of Youngstown and a rescue party of deputies from Sheriff Elser's office brought assistance; that as a result of said acts on the part of members of the C. I. O. a period of lawlessness and disorder came about. Respondent believes that the following named witnesses, all of whom were at the time duly appointed and qualified deputies sheriff of

the county of Mahoning and State of Ohio, would, if permitted, so testify:

Havard Sahli,
Gene Mayberry,
Wilbur D. Parr,
M. C. Menning,
Stephen Terlesky,
Joseph J. Orosz and
Walter Crosley.

Respondent further offers to prove that at about 11:00 o'clock on the night of June 9, 1937, a food truck went into respondent's plant by way of a gate underneath the Market Street Bridge in the City of Youngstown, Ohio; that at that time the crowd of C. I. O. pickets grew from 25 or 30 to over 600; that said pickets used profane and vile language threatening police officers in every way; that some of said pickets were carrying clubs and other weapons; that they had stones, coal and bottles piled up at various points under the bridge for use as missiles; that Robert Burke, C. I. O. organizer, made several speeches of an inflammatory nature against the police and Republic employees together; that shortly after 12:00 o'clock midnight said Robert Burke mounted the steps leading up to Market Street Bridge saying in words or substance "They have taken away our clubs yet they come out with tommy guns in their cars"; said Burke also said "The cops here are only showing their clubs now—they have got gas and guns in their pockets—the next time we fight we will have guns to and they won't take them away from us like they did our clubs"; that at this time one of the members of the crowd shouted "The first guy that uses gas gets shot and we've got the guns to do it"; that one of the members of the C. I. O. also said "Be sure to get the numbers of those cars (referring to police cruisers) we will wreck them tomor-

row"; that at about said time police reinforcements were called until there were about 16 police officers present; that a man came from the bridge steps toward the bottom where the said Burke was speaking; that at that time Burke turned and saw him and said "Get out of here you son-of-a-bitch"; that said Burke then turned to pickets who were massed in front of him and said "Get that son-of-a-bitch"; that at said time 4 or 5 men to whom Burke had been speaking ran up the steps after said man who also ran towards the top; that when this group had reached the top of the steps a shot was fired which hit said man whose name is Ross, who was pursued by the C. I. O. pickets; that the man was sent to the hospital in a passing automobile and that two of the officers assigned to investigate the shooting were clubbed as they were coming down the steps where Robert Burke had made his speech; that in connection with this event the members of the C. I. O. attempted to blockade the streets with timbers and automobiles; that the City police officers were reinforced at this time by deputies from the office of the Sheriff and that the law enforcement officers were then charged by the mob and several shots fired by members of this mob at said law enforcement officers who were then forced to use gas for the protection of their lives and property. Respondent believes that the following named witnesses, if permitted, would so testify:

Havard Sahli—Deputy Sheriff
Charles Richmond—Captain Youngstown Police
Stephen Terlesky—Deputy Sheriff
Victor G. Mauer—Deputy Sheriff
Victor B. Jewhurst—Deputy Sheriff
Michael Charles Menning—Deputy Sheriff
Walter Crosley—Deputy Sheriff
James R. Shutts—Police Officer

Roy Welsh—Police Officer
Michael Leo Flynn—Police Officer

Respondent further offers to prove that on June 19, 1937, at approximately 7:00 o'clock in the evening, pickets massed on the sidewalk near Stop 5 on Poland Avenue and completely obstructed the sidewalk for a distance of 300 feet; that in addition thereto, 12 women sat on folding chairs, blocking the sidewalk and the driveway at the entrance to respondent's plant at Stop 5; that Captain Charles Richmond of the police force of the City of Youngstown and in charge of the police detail, on noting this condition stopped at C. I. O. picket headquarters at 1656 Poland Avenue and inquired for Mr. Fagan, the picket captain in charge; that being unable to locate Mr. Fagan, Captain Richmond talked to John de Bozie, C. I. O. picket captain at Stop 5, and requested that the pickets there be kept moving and that the chairs be removed; that at said time, said pickets were armed with clubs of various descriptions and carried bricks, stones and pieces of iron; that in his round of duty, Captain Richmond went over Center Street Bridge and then to Stop 14 and Stop 7; that at the time he returned somewhat later to Stop 5 the women on chairs still blocked the entrance of the respondent's plant and the pickets were massed in greater numbers than previously; that no satisfactory answers were received to the requests of the police officers to keep the pickets moving; that after the second request to keep the pickets moving, pickets stationed across the road near the office of Marshall Fuel Company started throwing stones which struck various police officers; that the pickets were warned by the police officers who backed down about 40 feet from the sidewalk toward the Lake Erie and Eastern Railroad embankment; that in the meantime, certain police officers from headquarters had been assigned to this neighborhood

and about 9:00 P. M. one Raymond Merwin, an officer, arrived on the scene and stationed himself near Bolevitch's Cafe, at which time he was surrounded by a group of approximately 150 members of the C. I. O., shouting and booing; that this group closed in more until finally someone in the group said, "Take him," at which time the group generally struck him with fists and clubs and knocked him down and kicked him; that Captain Richmond again spoke to the crowd and told them that police officers must be protected; that George Burke, C. I. O. organizer, called a group of C. I. O. members back of Bulevitch's Cafe to a garage used as picket headquarters; that this group then came out in mass formation in the direction of the police and a bombardment of bricks, half-bricks, large stones and pieces of iron came toward the police; that in view of the assaulting of Officer Merwin and others, the police force used gas guns to stop the barrage and to rescue their officers; that in response to calls for assistance other police officers and the deputies from the sheriff's office arrived at the scene; that at about this time, a bus of the Youngstown Municipal Railway Company, containing passengers and driven by one Covert John McClain, was proceeding down Poland Avenue; that at about said time also members of the C. I. O. shot out the street lights on Poland Avenue in this vicinity, throwing the place in darkness and opened six or seven fire hydrants along Poland Avenue, shutting off the water supply from a considerable portion of the city; that the bus above mentioned was stopped by masses of pickets, the passengers discharged and an attempt made by the driver to return the bus, at which time he was surrounded by a number of pickets who refused to allow him to move the bus and threatened to "beat hell" out of him; that this bus was later used by members of the C. I. O. as a barricade across Poland Avenue and a place from which to shoot rifles and guns at members of the law enforcement

groups; that at a point nearer Youngstown on Poland Avenue timbers were used as a further barricade; that the law enforcement officers used gas on the crowds of pickets at that time; that at about this time at Short Street in Campbell, Ohio, the C. I. O. sound truck went through the crowd at that point saying, "They are gassing our women over at Stop 5. All you fellows that have machines beat it over there"; that a short time later the call went out at Campbell for two carloads of men, but no one to go without guns; that shortly thereafter, shots from rifles of all descriptions, shot guns and pistols were directod at the law enforcement officers from Poland Avenue, Alexander Street and Brittain Street; that dynamite was thrown ten or twelve times from a point near Bolevitch's Cafe; that a revolver was discharged 25 times from a bathroom window in Bolevitch's boarding house at the law enforcement officers stationed in that vicinity, several of whom were struck by the fire; that the dynamite explosions resulted from the throwing of dynamite 50 or 75 feet from the sidewalk toward the police officers and their cars; that one of the police cruiser cars was upset and completely destroyed by fire; that acting in conjunction the law enforcement officers were able to drive the mob back to a point where personal injury could not be inflicted but that until 3:00 o'clock in the morning spasmodic firing at the law enforcement officers continued; that during said time said group consisted of approximately 5000 people, many of whom were wearing C. I. O. buttons, hat bands and rm bands; that certain of the police officers and deputies were allowed to leave in the morning of the next day under C. I. O. escort, which escort consisted of one Robert Burke riding on their fender to take them through the crowd safely; that during the night a C. I. O sound truck and loud speakers from various points urged the strikers on and made profane and derogatory remarks about the law en-

forcement officers; that among the automobiles parked in the vicinity of this disturbance were many from Aliquippa, Pennsylvania. Respondent believes that the following named witnesses, if permitted, would so testify:

William Brown—City Water Works Employee
J. D. Davis
Arthur Morris
Covert John McClain
Raymond Merwin—Police Officer
Matt K. Chew
Victor G. Mauer—Deputy Sheriff
James R. Shutts
Charles Richmond—Captain Youngstown Police
Havard Sahli—Deputy Sheriff
Guy G. Clupper—Deputy Sheriff
Wilbur D. Parr—Deputy Sheriff
Stephen Terlesky—Deputy Sheriff
Harry N. Potts—O. N. G. Captain
Walter Crosley—Deputy Sheriff
Michael Clark Menning—Deputy Sheriff
Victor G. Jewhurst—Deputy Sheriff
John P. Barret—Deputy Sheriff
Harry C. Smith and
Roy Welsh—Police Officers

Respondent further offers to prove that word was announced that the mills would open on June 22, 1937; that the previous evening C. I. O. members from Akron, Cleveland and other points started to converge upon Youngstown; that calls came to the law enforcement officers from South Avenue, from Poland, from Canfield and from Austintown; that squads of deputies and city police were located at these points and calls for reinforcement were sent at about 3:00 o'clock in the morning on June 22nd; that highways leading to Youngstown were blockaded and 500

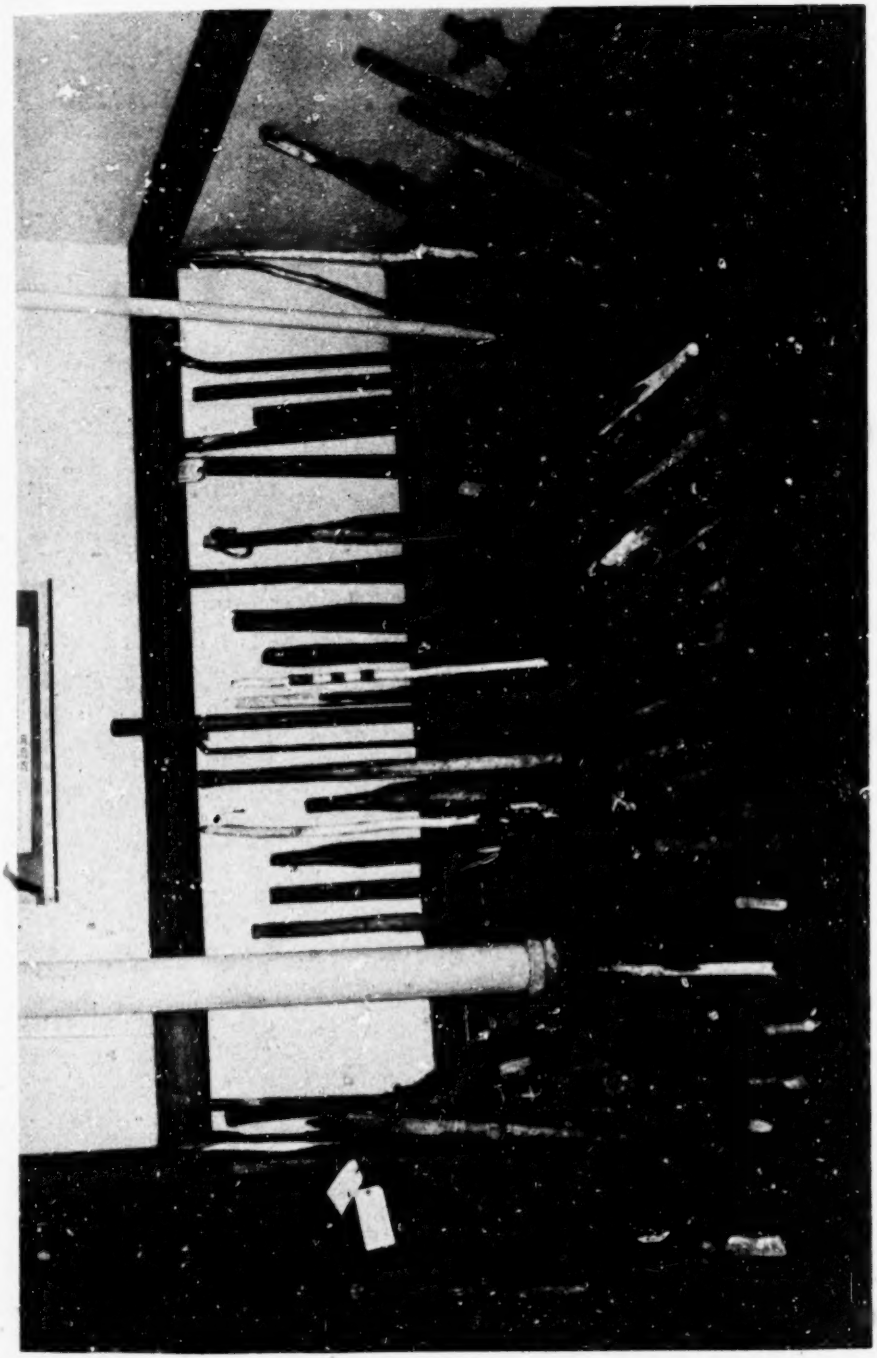
or more C. I. O. members in cars, armed with clubs and guns, were stopped and diverted back towards Akron; that at said aforementioned points said members of the C. I. O. made threats against the sheriff and others; that when stopped these men said "To hell with the God damned sheriff. We are going in."; that an organizer of the C. I. O. who seemed to be in charge finally said, "Let's call up and find out if the mills aren't going to open."; that this person then called someone at the Ohio Hotel and later came back and told the men that the mills were not going to open; that the cars that were stopped had C. I. O. stickers on them and that the men had C. I. O. identification cards and buttons on them although at the time some of the men were stopped they threw away C. I. O. buttons and that the highway in the vicinity of Austintown was covered with them where they had been pulled off and thrown down; that numerous arrests were made and a variety of weapons taken from these men, as will appear from two photographs representing a portion of said weapons, hereto attached and offered in evidence, marked Respondent's Exhibits A and B, in connection with this, its Offer to Prove; that all of these men except those arrested were sent back to the place from which they came; that some of said men who had been carrying weapons were lodged in the jail at Canfield and that the C. I. O. men who were diverted through that town yelled, "We are going to take them men out of that jail"; that as said cars left to return from the place where they were stopped many of the C. I. O. members in them said, in words or substance, to the law enforcement officers, "You sons-of-bitches, when those mills open we will be back. We have just as much as you have to fight with." Respondent believes that the following named witnesses, if permitted, would so testify:

Wilber D. Parr—Deputy Sheriff

Louis Seaborn—Deputy Sheriff
Victor G. Mauer—Deputy Sheriff
Victor B. Jewhurst—Deputy Sheriff
Guy D. Clupper—Deputy Sheriff
Joseph J. Orosz—Deputy Sheriff
Robert A. Manchester II—Mayor of Canfield, Ohio
William Rolke—Deputy Sheriff
George O. McGranahan—Photographer
Kenneth Risher—Property man of Y Police Department.

Respectfully submitted,

THOMAS F. PATTON
HARRINGTON, HUXLE
DAY, YOUNG & VEA
Attorneys for Re
Republic Steel C



Respondent's Exhibit A, in connection with its Offer to Prove.

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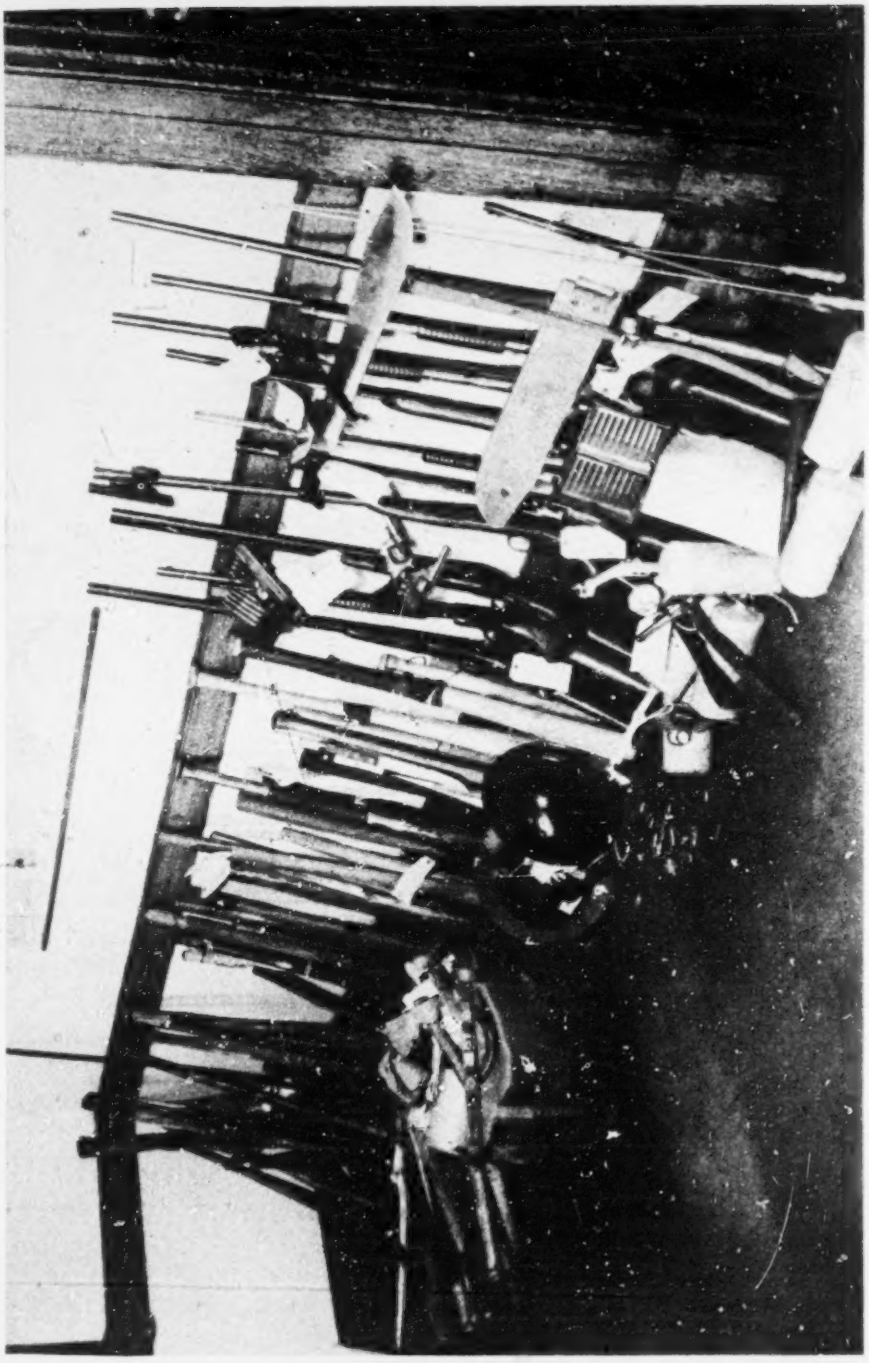

Respondent's Exhibit B, in connection with its Offer to Prove.

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RESPONDENT'S EXHIBIT NO. 51

NOMINATIONS AND ELECTIONS

Employee Representatives
Republic Steel Corporation
Cleveland District

Nominations - - June 9th, 1936

Elections - - - June 16th, 1936

Voting Divisions	Number of Representatives to be elected
Office-Storehouse-Hospital	1
Rolling Mills	4
Open Hearth and Laboratory	2
Mechanical and Mason Departments	2
Scrap Yard	1
Coke, By-Products, Benzol	1
Blast Furnaces	1
River Dock	1
Main Power Station and Combustion Engineering	1
Yard Labor	1
Electrical	1
	16

All employees of our plant are qualified to vote except Company officials, foremen, assistant foremen, policemen, piece-work clerks, industrial engineers and persons having the right to hire or discharge.

Candidates for representatives must belong to the voting divisions which they seek to represent.

Lists of those qualified to vote and to be elected rep-

resentatives will be posted in their respective voting division.

Tellers will be selected from employees of the various departments to assist in watching boxes and counting ballots.

Present Employee Representatives, although they will supervise elections, will not act as tellers or count ballots.

Nominations

Nominations for Representatives for the above divisions will be held June 9th, 1936.

Each qualified voter will be furnished a ballot, on showing his badge; on which he shall write the names or check numbers of those he desires to nominate. The number to be nominated will be stated on the ballot.

Those receiving the highest number of votes will be nominated.

Ballot boxes for nominations will be open from 6:00 A. M., June 9th, to 8:00 A. M., June 10th, 1936, in order that the men on all turns will have an opportunity to vote.

Elections

Elections of Representatives for the above divisions will be held June 16th, 1936.

Each qualified voter, on showing his badge, will be furnished with a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall be declared elected as Representatives. Nominees failing of election shall stand as Alternates, in the order of votes received.

Ballot boxes for election will be open from 6 A. M., June 16th, 1936, to 8:00 A. M., June 17, 1936, in order that all turns will have an opportunity to vote.

All Claims as to the Eligibility of Voters Must Be Made Before Election Day, June 16th, and the Decision of the Election Committee in Each Case Must Be Considered Final.

Absentee Ballots May Be Cast on the Last Working Day Before Nominations and Elections.

Locations of Polls

On the days of Nominations and Elections Voting Booths will be established at all of the regular entrances to our plant.

All qualified voters are urged to vote at Nominations and Elections and to contribute in every way to their success.

Employee Representatives—Election Committee

J. E. Smith, Chairman, Open Hearth; C. Douglas, Vice Chairman, Rolling Mill; C. B. Mackell, Rolling Mill; R. J. Powell, Rolling Mill; Geo. Troyanovich, Rolling Mill; J. N. May, Scrap Yard; John Sabol, Electrical; H. T. Schermer, Office; H. E. Grimm, Secretary, River Dock; G. A. Burns, Mechanical; H. M. Lancaster, Mechanical; E. G. Lohman, Coke Plant; J. V. Walsh, Open Hearth; Mike Koscso, Blast Furnaces; Andy Cygan, Main Power Station; R. C. Murdoch, Yard Labor.

RESPONDENT'S EXHIBIT NO. 52

FIRST ELECTIONS

Employees' Representatives

River Plant

The Corrigan, McKinney Steel Company

Voting Divisions	Number of Representatives to be elected
Blast Furnace, River Dock, Main Power House	1
Coke, By-Products and Benzol	1
Open Hearth and Laboratory	1
Rolling Mills	2
Mechanical and Electrical Shops	1
Scrap Yard and Yard Labor	1
Office, Weighers, Store Room, Service, Shippers, and Police and Sanitation	1
	8

Employees of the Company, employed 90 days or longer, are qualified to vote,—except those in supervisory positions.

Candidates for representatives must have been employed by the Company one year or longer, be American Citizens and 21 years of age or over.

Lists of those qualified to vote and to be elected Representatives will be posted about the plant.

Nominations

Nominations for Representatives for the above divi-

sions will be held July 6-7, 1933. On July 5 each qualified voter will be furnished a ballot on which he shall write the names of those whom he desires to nominate. The number to be nominated will be stated on the ballot.

Those receiving the highest number of votes shall be declared nominated.

Elections

Election of the Representatives for the above divisions will be held July 11-12, 1933. On July 10 each qualified voter will be furnished a ballot on which the names of the nominees will be printed. The number to be voted for will be stated on the ballot.

Nominees receiving the highest number of votes shall be declared elected as Representatives. Nominees failing of election shall stand as Alternates.

Location and Time of Polls

At each plant entrance a ballot box will be located, and which will be in charge of a teller. Employees may deposit their ballots upon entering or leaving the plant.

Polls will open at 6:00 A. M. July 6 and close at 6:00 A. M. July 7, 1933.

Polls will open at 6:00 A. M. July 11th and close at 6:00 A. M. July 12, 1933.

At the expiration of above periods ballots will be counted by the Employees' Temporary Committee on Elections, who will then post names of successful candidates.

All qualified voters are urged to vote at the nominations and elections.

Employees' Temporary Committee on Elections

Thomas Hughes, Chairman

Thomas Russell, Secretary

Ray Essex, J. E. Boing, C. W. Pratt, Glen Cermak, R. Harris, Bert Grubb, Samuel McCracken, William F. Tabbert, Ray Yahner.
July 3, 1933.

RESPONDENT'S EXHIBIT NO. 53

Classification of Voting Divisions.
Year 1937.

Department	Representatives
Blast Furnaces	1
River Dock	1
Power House	1
Mechanical	2
Mason	1
Electrical	1
General Labor	2
Open Hearth	2
Coke Plant	1
Scrap Yard	1
Office	2
Lab—Comb. Eng.—Store—Hospital—Roll Shop	1

(Exhibit torn, 4 lines obliterated with these figures opposite thereto:)

	2
	2
	1
	1
Total	22

Year 1936.

Department	Representatives
Blast Furnaces	1
River Dock	1
Power & Comb. Eng.	1
Mechanical & Mason	2
Electrical	1
General Labor	1
Open Hearth & Lab'y.	2
Coke Plant	1
Scrap Yard	1
Office—Store—Hospital	1
Rolling Mill	4
Total	16

RESPONDENT'S EXHIBIT NO. 54

NOMINATION BALLOT

For Employees' Representatives
Open Hearth and Laboratory Departments
June 9th, 1936
Republic Steel Corporation
Cleveland District

Directions to Voters:

This ballot is issued to voters to nominate six candidates to be voted upon at the Election June 16th, 1936, for electing two representatives.

The six qualified candidates receiving the highest num-

ber of votes will be entered on the election ballots as nominated candidates to be voted upon at the coming elections.

Each voter is entitled to write four names on this ballot.

Do Not Sign Your Name

Signed: Employees' Representative Election Committee

J. E. Smith, Chairman, Open Hearth
C. Douglas, Vice Chairman, Roll'g Mill
C. B. Mackell, Rolling Mill
R. J. Powell, Rolling Mill
Geo. Troyanovich, Rolling Mill
J. N. May, Scrap Yard
John Sabol, Electrical
H. T. Schermer, Office
H. E. Grimm, Secretary, River Dock
G. A. Burns, Mechanical
H. M. Lancaster, Mechanical
E. G. Lohman, Coke Plant
J. V. Walsh, Open Hearth
Mike Koscso, Blast Furnaces
Andy Cygan, Main Power Station
R. C. Murdoch, Yard Labor

NOTE—Write Four or Less Names or Check Numbers
If You write more your ballot will be VOID

Write Names or Check Numbers of Candidates Below.

(1) .....
(2) .....
(3) .....
(4) .....

Please Deposit This Ballot in the
Ballot Box Before Leaving
the Voting Booth

Hours for Voting from 6 a. m. Tuesday, June 9th,
to 8 a. m. Wednesday, June 10th, 1936

RESPONDENT'S EXHIBIT NO. 56

ELECTION BALLOT

For Employees' Representatives
Rolling Mill Department
June 16th, 1936
Republic Steel Corporation
Cleveland District

Directions to Voters:

Place cross (X) opposite the names of Four Nominated Candidates whom you wish to serve as Representatives of this division.

If more than Four (4) are voted for, the ballot will be Void.

Do Not Sign Your Name

Signed: Employees' Representative Election Committee

J. E. Smith, Chairman, Open Hearth
C. Douglas, Vice Chairman, Rolling Mill
C. B. Mackell, Rolling Mill
R. J. Powell, Rolling Mill
Geo. Troyanovich, Rolling Mill
J. N. May, Scrap Yard
John Sabol, Electrical
H. T. Schermer, Office
H. E. Grimm, Secretary, River Dock
G. A. Burns, Mechanical
H. M. Lancaster, Mechanical
E. G. Lohman, Coke Plant

J. V. Walsh, Open Hearth
Mike Koscso, Blast Furnaces
Andy Cygan, Main Power Station
R. C. Murdoch, Yard Labor

Do not vote for more than Four (4) Nominated Candidates

			Place Below X
(1)	4540	C. Douglas	....
(2)	8485	H. Sisk	....
(3)	8374	G. Troyanovich	....
(4)	7605	A. Matchuric	....
(5)	7680	J. Bradley	....
(6)	4141	M. Roth, Jr.	....
(7)	8480	C. Mackell	....
(8)	3385	J. Exall	....
(9)	3975	A. Fitzgerald	....
(10)	3872	R Powell	....
(11)	8165	L. Korell	....
(12)	8481	V. Monz	....

Please Deposit This Ballot in the Ballot Box Before Leaving the Voting Booth

Hours for Voting from 6 a. m. Tuesday, June 16th, to 8 a. m. Wednesday, June 17th, 1936

RESPONDENT'S EXHIBIT NO. 57

CERTIFICATE OF ELECTION

For Employee Representatives
River Dock

Department or Voting Division

This is to certify that at the June 16, 1936. Elections held by the Employees of the above department or voting

division, the following nominees were elected Employee Representatives:

H. E. Grimm No. 1678 63 Votes

The following nominees stand as alternates in the order listed on the number received:

Walter Korn No. 1674 4 Votes

J. E. Smith	H. E. Grimm
R. J. Powell	J. N. May
H. T. Schermer	G. A. Burns
E. G. Lohman	Andy Cygan
C. P. Douglas	C. B. Mackell
G. Troyanovich	John Sabol
Mike Koscso	H. M. Lancaster
J. V. Walsh	R. C. Murdoch

Employees' Committee on Elections

Republic Steel Corporation and Subsidiaries

Cleveland Corrigan McKinney June 17, 1936
(District or Subsidiary) (Plant) (Date)

RESPONDENT'S EXHIBIT NO. 58

EMPLOYEE'S REPRESENTATION PLAN

Date .....

Mr. L. A. Wakefield,
Management's Representative.

Dear Sir:

The following complaint has been brought to my attention for adjustment:

Department: .....

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

This is for your information, to enable you to follow the above complaint; I will keep you advised as to the progress of same.

. . . . . .

Employee's Representative

RESPONDENT'S EXHIBIT NO. 59

WESTERN UNION

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.
Received at 2040 East 9th St., Cleveland, Ohio

Tel. Cherry 1780 Line 51

GB29 103 2 EXTRA DL=HT PITTSBURGH PENN 3 1248P

(Stamped)

T M GIRDLER=

REPUBLIC STEEL CORP MEDICAL ARTS BLDG CLEVE=

ON MARCH 30 1937 WE SENT YOU STANDARD COLLECTIVE BARGAINING CONTRACT WITH REQUEST FOR CONFERENCE TO DISCUSS SAME STOP NO ACKNOWLEDGEMENT OR OTHER REPLY

RECEIVED TO DATE STOP WIDE SPREAD UNREST AMONG EMPLOYEES YOUR COMPANY VARIOUS MILLS PREVAILS OVER UNCERTAINTY YOUR POSITION REGARDING SIGNED COLLECTIVE BARGAINING CONTRACT STOP THIS UNREST ACCENTUATED RESULT LAYOFF SEVERAL HUNDRED UNION MEMBERS YOUR CANTON AND MASSILLON WORKS STOP UNLESS WE CAN HAVE DEFINITE ASSURANCE FROM YOU WITH DATE FOR CONFERENCE TO NEGOTIATE WRITTEN CONTRACT WITHOUT FURTHER DELAY WE SHALL BE OBLIGED DISAVOW ALL RESPONSIBILITY UNION MEMBERS IN YOUR MILLS REMAINING AT WORK=

CLINTON S GOLDEN REGIONAL DIRECTOR STEEL WORKERS ORGANIZING COMMITTEE.

RESPONDENT'S EXHIBIT NO. 60

AB9 93=4 EXTRAS=

CLINTON S GOLDEN REGIONAL DIRECTOR

STEEL WORKERS ORGANIZING COMMITTEE 3600 GRANT BUILDING PITTSBURGH PA=

(Stamped)

YOUR REQUEST FOR A MEETING TO DISCUSS SIGNED CONTRACT HAS BEEN REFERRED TO ME FOR REPLY IN VIEW OF WAGNER ACT SEE NO NECESSITY FOR SIGNED CONTRACT THE POLICY OF THIS COMPANY HAS BEEN AND IS NOW THAT IT IS WILLING TO MEET WITH ANYONE TO BARGAIN WITH HIM FOR WHOMSOEVER HE REPRESENTS IN CONFORMITY WITH THIS GENERAL

POLICY. THE PROPER REPRESENTATIVES OF THIS COMPANY WILL MEET WITH YOU AT ANY TIME MUTUALLY CONVENIENT FOR COLLECTIVE BARGAINING PURPOSES ADVISE IF TUESDAY MAY ELEVENTH M.. OFFICE CLEVELAND SATISFACTORY FOR MEETING

J A VOSS DIRECTOR OF INDUSTRIAL RELATIONS REPUBLIC STEEL CORP . . .

(Stamped)

RESPONDENT'S EXHIBIT NO. 61

WESTERN UNION

Received at 2040 East 9th St., Cleveland, Ohio
Tel. Cherry 1780 Line 51

GA215 158 DL=HT PITTSBURGH PENN 6 955A

(Stamped)

J A VOSS=

DIRECTOR INDUSTRIAL RELATIONS=REPUBLIC STEEL CORP CLEVE=

YOUR WIRE FIFTH RECEIVED STOP ARE WE TO UNDERSTAND YOU PROPOSE IN LIEU OF SIGNED COLLECTIVE BARGAINING CONTRACT THAT CONTRACTING PARTIES COMMIT PROVISIONS VERBALLY AGREED UPON TO MEMORY AND RELY THEREON FOR FUTURE REFERENCE WHENEVER CONFERENCES ARE NECESSARY TO DISCUSS GRIEVANCES THAT MAY ARISE THEREUNDER STOP DO YOU FURTHER PROPOSE THAT MANAGEMENT OFFICIALS IN THE THIRTY FIVE MILLS

OPERATED BY YOUR COMPANY AND UNION GRIEVANCE COMMITTEEMEN NUMBERING TWO HUNDRED AS WELL AS THE SIXTY THOUSAND EMPLOYEES ALSO INDULGE IN THIS MEMORIZING PROCESS STOP IS THIS YOUR CONCEPTION OF ORDERLY CONSTRUCTIVE METHODS OF COLLECTIVE BARGAINING AS CONTEMPLATED BY NATIONAL LABOR RELATIONS ACT STOP IF SO WE CONSIDER CONFERENCE YOU PROPOSE FOR MAY ELEVENTH FUTILE WASTE OF TIME AND ENERGY STOP DO YOU PROPOSE TO ACCEPT TERMS SIMILAR TO THOSE IN AGREEMENT SIGNED BY CARNEGIE ILLINOIS STEEL CORPORATION AND APPROXIMATELY ONE HUNDRED OTHER COMPANIES WITH REPRESENTATIVES OF STEEL WORKERS ORGANIZING COMMITTEE WITHOUT UNDERTAKING TO AFFIX YOUR COMPANYS SIGNATURE THERETO STOP=

CLINTON S. GOLDEN.

(Stamped)

RESPONDENT'S EXHIBIT NO. 62

STEEL WORKERS ORGANIZING COMMITTEE

(Emblem)

3600 Grant Building
Pittsburgh, Pa.

March 30, 1937

Republic Steel Corporation
Medical Arts Building
Cleveland, Ohio

Attention: T. M. Girdler, President

Gentlemen:

Enclosed herewith will be found a proposed collective bargaining contract to which I request you give careful consideration. The principal features are identical with those in the contracts signed on March 17, 1937, with the Carnegie-Illinois Steel Corporation and other U. S. Steel Corporation subsidiaries.

Inasmuch as a considerable number of your employees have already been enrolled as Union members, we believe it to be mutually advantageous to have this agreement consummated as soon as possible.

In the event the base rate of wages now being paid by your company is less than $4.20 per day of eight (8) hours, the agreement provides for a straight wage increase of 10c per hour.

Upon advice from you as to your position in this matter, we will be glad to have our representative, in company with a committee of your employees who are members of the Union and authorized to act as collective bargaining representatives, call upon you for the purpose of discussing the enclosed contract.

We will appreciate hearing from you at your earliest convenience with respect to a convenient date for such a conference.

Yours very truly,
Clinton S. Golden.
Clinton S. Golden
Regional Director
Northeastern Region

RESPONDENT'S EXHIBIT NO. 63

This Agreement, dated ..... 1937, between Republic Steel Corporation (hereinafter referred to as the "Corporation") and the Steel Workers Organizing Committee on behalf of the members of the Amalgamated Association of Iron, Steel and Tin Workers of North America, or its successor, (hereinafter referred to as the "Union") employed by the Corporation.

SECTION 1: It is the intent and purpose of the parties hereto that this Agreement will promote and improve industrial and economic relationships between those employees who are members of the Union and the Corporation, and to set forth herein the basic Agreement covering rates of pay, hours of work and conditions of employment to be observed between the parties hereto.

It is understood and agreed that this Agreement pertains only to members of the union employed in the Corporation's steel manufacturing and by-product coke plants.

The term "employee", as used in this Agreement shall not include Foremen, Assistant Foremen or Supervisors in charge of any classes of labor, or Watchmen, or any Salaried employees.

SECTION 2—RECOGNITION: The Corporation recognizes the Union as the collective bargaining agency for those employees of the Corporation who are members of the Union. The Corporation recognizes and will not interfere with the right of its employees to become members of the Union. There shall be no discrimination, interference, restraint or coercion by the Corporation or any of its agents against any members because of membership in the Union. The Union agrees not to intimidate or coerce employees into membership and also not to solicit membership on Corporation time or plant property.

SECTION 3—WAGES: Effective ..... 1937, there shall be an increase in wages of ten (10c) cents an hour on all rates which are at present Four Dollars and twenty cents ($4.20) a day, or a minimum for this classification of Five ($5.00) Dollars a day of eight (8) hours. Such classifications now receiving less than Four Dollars and twenty cents ($4.20) a day or less than fifty-two and one-half cents (52½c) per hour, shall be increased ten (10c) cents per hour. There shall be an increase of ten (10c) cents per hour in all other hourly rates, and an equivalent increase in all tonnage and piece-work rates which will net under normal expected earnings an increase of not less than eighty (80c) cents per day of eight (8) hours.

SECTION 4—HOURS OF WORK: Effective ..... 1937, there shall be established an eight (8) hour day and a forty (40) hour week. Time and one-half shall be paid for all overtime in excess of eight (8) hours in any one day or for all overtime in excess of forty (40) hours in any one week.

A day may be a calendar day or any 24-hour period, and a week may be a calendar week or any five (5) regular 8-hour turns on consecutive days, followed by a 48-hour rest period, at the option of the Corporation.

An employee, who is a member of the Union, shall not be paid both daily and weekly overtime for the same hours so worked.

SECTION 5—VACATIONS: Each employee, who is a member of the Union, and who, prior to July 1, 1937, was continuously in the service of the Corporation ..... years or more shall receive ..... week's vacation with pay, such vacation to be taken in a single period. Those who are granted vacations will be paid on their average rate of earnings per hour for the two pay periods immediately

preceding their vacation. The total hours of vacation pay will be the average hours they worked per week during that period, but not less than 40 hours nor more than 48 hours. *footnote #1.

Vacations will, so far as possible, be granted at times most desired by employees, but the final right to allotment of vacation period is exclusively reserved to the Corporation in order to insure the orderly operation of the plants.

SECTION 6—SENIORITY: It is understood and agreed, however, that in all cases of promotion or increase, or decrease of forces, the following factors shall be considered, and where factors (b), (c), (d), and (e) are relatively equal, length of continuous service shall govern.

(a) Length of continuous service.

(b) Knowledge, training, ability, skill and efficiency.

(c) Physical fitness.

(d) Family status; number of dependents, etc.

(e) Place of residence.

SECTION 7—ADJUSTMENT OF GRIEVANCES: Should difference arise between the Corporation and the Union or its members employed by the Corporation as to the meaning and application of the provisions of this Agreement, or should any local trouble of any kind arise in any plant, there shall be no suspension of work on account of such differences but an earnest effort shall be made to settle such differences immediately in the following manner:

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*Footnote #1: Vacation schedule to be based upon last year's schedule but shall not be less than one week for those employed five (5) years or more.

First, between the aggrieved employee, who is a member of the Union, and the Foreman of the Department involved;

Second, between a member or members of the Grievance Committee, designated by the Union, and the Foreman and Superintendent of the Department;

Third, between a member or members of the Grievance Committee, designated by the Union, and the General Superintendent or Manager of the plant;

Fourth, between the Representatives of the National organization of the Union and the Representatives of the Executives of the Corporation; and

Fifth, in the event the dispute shall not have been satisfactorily settled, the matter shall then be appealed to an impartial umpire to be appointed by mutual agreement of the parties hereto. The decision of the umpire shall be final. The expense and Salary incident to the services of the umpire shall be paid jointly by the Corporation and the Union.

Specified periods shall be agreed upon between the Grievance Committee and the General Superintendent or Manager of each plant for the presentation of grievances hereunder. Provided, however, that matters pertaining to discharges or other matters that cannot reasonably be delayed until the time of the next regular meeting may be presented at any time in accordance with the foregoing provisions.

The Grievance Committee for each plant shall consist of not less than three employees of that plant, and not more than ten (10) such employees, designated by the Union, who will be afforded such time off, without pay, as may be required.

First, to attend regularly scheduled committee meetings, and

Second, to attend meetings pertaining to discharges or other matters which cannot reasonably be delayed until the time of the next regular meeting.

Third, any member of the Grievance Committee shall have the right to visit departments other than his own at all reasonable times for the purpose of transacting the legitimate business of the Grievance Committee, after notice to and permission from his department superintendent or his designated representative.

The actual number of members of the Grievance Committee at each plant shall be mutually agreed upon between the General Superintendent or Manager of the Plart and the Union, and in no case shall there be more than one member in any department.

SECTION 8—MANAGEMENT: The management of the works and the direction of the working forces, including the right to hire, suspend or discharge for proper cause, or transfer, and the right to relieve employees from duty because of lack of work, or for other legitimate reasons, is vested exclusively in the Corporation: Provided that this will not be used for purposes of discrimination against any member of the Union.

SECTION 9—DISCHARGE CASES: In the event a member of the Union shall be discharged from his employment from and after the date hereof, and he believes he has been unjustly dealt with, such discharge shall constitute a case arising under the method of adjusting grievances herein provided. In the event it should be decided under the rules of this Agreement that an injustice has been dealt the employee with regard to the discharge, the

Corporation shall reinstate such employee and pay full compensation at the employee's regular rate for the time lost. All such cases of discharge shall be taken up and disposed of within five (5) days from the date of discharge.

SECTION 10—SAFETY AND HEALTH: The Corporation shall continue to make reasonable provisions for the safety and health of its employees at the plant during the hours of their employment. Protective devices, wearing apparel and other equipment necessary to properly protect employees from injury shall be provided by the Corporation in accordance with the practice now prevailing in each separate plant. Proper heating and ventilating systems shall be installed where needed.

SECTION 11—INDIVIDUAL WAGE RATES: Where alleged inequalities in wage rates prevail the matter may be taken up for local plant adjustment, and settlement made on a mutually satisfactory basis.

SECTION 12—FUTURE CONFERENCES: Joint conferences between Representatives of the Corporation and of the Union shall commence in ....., on February 7, 1938, for the purpose of negotiating an Agreement with regard to wages, hours and working conditions, to take effect upon the expiration of this Agreement.

SECTION 13—HOLIDAYS: The following days shall be considered holidays, during which days there shall be no regular production work, except in cases of continuous operations, on:

July 4th
Labor Day, and
Christmas.

SECTION 14—TERMINATION DATE: This Agree-

ment shall remain in full force and effect until February 28, 1938, inclusive.

REPUBLIC STEEL CORPORATION
Company.
By .....
President.
STEEL WORKERS ORGANIZING COMMITTEE
By .....
Chairman.

.....
Secretary-Treasurer.

.....
Regional Director.

RESPONDENT'S EXHIBIT NO. 64

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of
Republic Steel Corporation
and
Steel Workers Organizing Committee

Case No. C-184

RESPONDENT'S OFFER TO PROVE RE CLEVELAND DISTRICT

Respondent offers to prove that upon at least sixty separate occasions during the latter part of July 1937, employees of respondent in its Cleveland District when either going to, or coming from, their work in the vicinity of C. I. O. headquarters, and on or near public and duly dedi-

cated highways of the City of Cleveland, known as Independence Road, Jefferson Avenue, Broadway and Dille Road, were interfered with, mostly in the night season, by members of the S. W. O. C. and C. I. O., who hurled and struck the automobiles of said employees with stones, slag, bricks, pieces of iron, etc., damaging said automobiles in varying amounts from $1.25 to $75.45; that during said time crowds of C. I. O. pickets lined said highways and slowed down said automobiles by various means, such as swarming about, or driving a C. I. O. car out in front of the car of an employee, or barricading said highway; that on six occasions during said period cars of employees of respondent in its Cleveland District were maliciously destroyed by fire, by placing sand in the crank case, by placing of sugar in the fuel tank, by the slashing of tires, by hammering with clubs and by the jerking out of lighting or ignition wiring; that on four separate occasions cars of employees were "run off the road" or collided with intentionally by cars of C. I. O. members; and that during the months of July and August 1937 twenty-nine homes of employees of respondent were damaged by stones and other missiles being hurled through windows and doors and by tar being used to dob said premises. Respondent believes that the following named witnesses, if permitted, would so testify.

Edward Allsopp
John Ambrose
Earl Atkin
Joseph Benedik
Elmer A. Boma
Frank Heitman
Robert E. Bowman
Charles E. Brown
Paul Moore
William Bugos

William Calloway
George Chocola
Fred Weiler
Andy Minnich
William Paul Craft
H. Clum
H. Rosser
G. Poduska
John T. Donnelly
Anthony Skowionski
John Milkovich, Sr.
John Milkovich, Jr.
Robert Donnelly
Efin Draluk
Lemuel B. Dunn
Sam Feduniszyn
Thomas Finding
Warren Finding
Albert Kuntz
Dominic Flanto
Joe Paradise
Frank Frder
Edward F. Geggus
Frank Harwood
Arthur E. Herbert
Andrew Hibyan
Vernon Hickman
Frank Mazenac
R. K. Jameson
Charles Jedlicka
Henry Philips
Ralph Prida
James Jelinek
Rollin Kirby
Edward K. Klipec

William Miles
George Gerstman
Eugene Aldstadt
Walter Korn
R. Robinson
T. Petrovsky
T. Lippian
C. Ryckowski
Leo Kroll
P. J. LeHam
William Coolbaugh
Emil Louvison
Andrew Balogach
Harry Mundee
Dan Kuban
George Mazich
Peter Macey
Kenneth McGee
V. Merriman
Robert Akron
James Molnar
Marion Narus
Lawrence Newmeyer
Edward Hiller
Herbert Burnmeister
Charles Sperber
Earl Milier
John Palahunic
Julius Czayko
Chester Perkins
William G. Peters
John Curry
Napoleon Justus
Peter Polansky
Joe Regalo

John Schraeder
Robert B. Scott
Edward W. Shorf
Mike Solgo
James Reardon
Dan Starkoff
T. F. Steiner
James J. Svoboda
Earl R. Tindal
Tom Pisceka
William Waters
James L. Ward
Charles Christoff
Frank E. Walters
Jim Williams
Frank Ziegler
Terry J. Allen
A. E. VonAlt
Everett H. Root
Andrew Sobodos
Walter Stephens
Harry D. Ferrell
Clement Horsefall
Jacob Bohm
R. L. Yoho
John Fowler
William Jenkins
Fred Limoli
L. H. Pickryl
Roland Pickryl
Harvey Schneider
Mike Kostya
M. Morana
William Harrison
Ben Adams

Anthony Karp
Willis Karp
John Kostalnick
Phillip Shano
Elmer Stark
Frank Toman
Joe Toman
Thomas Scott
E. J. St. Clair
William Stein

Respondent further offers to prove that John W. Adams, an employe of respondent in the Cleveland district, was driving to work on July 26, 1937, at about 10:00 P. M.; that with him was another employe of respondent by the name of Michael Voytovich; that as he neared the Grasselli Chemical property on Independence Road, a large crowd of C. I. O. members were congregating; that as he passed said crowd, members thereof threw stones and rocks which broke his car windows and his windshield, and dented the body of his car; and that the flying glass from the windows cut his face and entered both of his eyes, necessitating hospitalization. Respondent believes that the witnesses, John W. Adams, and Michael Voytovich, if permitted, would so testify.

Respondent further offers to prove that on July 26, 1937, at about 10:00 P.M., Charles Allen, one of respondent's employes in the Cleveland district, was driving his Chevrolet coach to work; that as he was driving down Dille Road in a Westerly direction, groups of strike sympathizers and C.I.O. members yelled "Give it to him"; that suddenly stones, bricks, etc. were thrown at his machine, breaking the rear windows and the windshield and damaging the sides of his car; and that one of his passengers, Eugene Jolles, was injured by being struck by stones in the face

and on the right shoulder. Respondent believes that the witnesses, Charles Allen and Eugene Joiles, if permitted, would so testify.

Respondent further offers to prove that on July 26, 1937, at about 10:30 P. M., George Baker, one of its employes in the Cleveland district, was driving to work in his Ford automobile; that on Independence Road, near the Grasselli Chemical Company, he noticed a number of men congregated by the road; that as he passed said group, they started to throw stones and rocks, which broke and shattered the windshield and all the other windows except the left rear one, and also dented the body of his machine; and that one of said stones struck the side of his face, breaking his spectacles. Respondent believes that the witness, George Baker, if permitted, would so testify.

Respondent further offers to prove that at about 10:30 o'clock P. M. on July 26, 1937, Guy Burdell and K. P. Tussey, employes of respondent in its Cleveland district, were riding to work in an automobile down Independence Road; that on said road about one hundred men on each side started to throw bricks which broke windows and dented the car; that employe Guy Burdell received a severe bruise on the back of the neck from a half brick thrown through the window, which necessitated hospitalization; and that the said Tussey received a severely bruised shoulder from said missiles. Respondent believes that the witnesses, Guy Burdell and K. P. Tussey, if permitted, would so testify.

Respondent further offers to prove that on or about July 10, 1937, at 2:25 A. M. there were two large stones hurled through the window of the home of James Davis at 7617 Quincy Avenue, Cleveland, Ohio; that the said Davis has been an employe of respondent in its Cleveland district for about eleven years; that one of said stones struck the

eight year old daughter of the said Davis on the head, causing a large gash on the forehead over the eye; that it was necessary to take said daughter to the hospital and place her under the care of a physician, and that said daughter still has a scar over her left eye. Respondent believes that the witness, James Davis, if permitted, would so testify.

Respondent further offers to prove that at about 8:45 P. M. one day in the latter part of July, 1937, one of its employes, named Stanley Dobish, left its plant for home in his automobile, in which there was stationed as a passenger another employe by the name of Joe Soska; that as Dobish stopped in front of Soska's residence on W. 11th Street, a group of men unknown to him threw stones at said automobile, which stones broke the windows, dented the car body, and struck Joe Soska on the head. Respondent believes that the witnesses, Stanley Dobish and Joe Soska, if permitted, would so testify.

Respondent further offers to prove that, as William J. Dulai was driving to work at respondent's Cleveland plant at about 10:00 P. M. on July 26, 1937, about twenty men on Independence Road started to throw bricks and stones at his car; that said bricks and stones broke the windshield and the glass on the right hand side of said car; and that from said broken windows, glass entered both his eyes, necessitating hospital treatment. Respondent believes that the witness, William J. Dulai, if permitted, would so testify.

Respondent further offers to prove that in the night season at about 9:50 on July 26, 1937, Samuel Dumas, one of its employes in the Cleveland district, was proceeding to his work in his automobile; that with him as passengers were Eddie Smith, James Davis, James Knolles, Mr. Ross and Mr. Johnson, all employes of respondent; that as said car reached the intersection of Dille Road and Indepen-

dence Road, a group of about three hundred men lined on both sides of the road showered said automobile with stones and pieces of steel; that one of said stones struck and went through the car's windshield, striking Samuel Dumas on the mouth, knocking out two teeth and bruising his lip; that, in addition to considerable other damage to the car, Mr. Ross was struck by a stone on his right arm; that Mr. Johnson was struck by a stone on the top of his head; that James Davis was struck by a stone on his forehead, and that Eddie Smith was struck on the left arm by a stone, necessitating medical treatment. Respondent believes that the witnesses, Samuel Dumas, Edward Smith, James Davis and James Knolles, in addition to the above mentioned Messrs. Ross and Johnson, if permitted, would so testify.

Respondent further offers to prove that as Steve Horvath and John Erben, employes of respondent in its Cleveland district, were going to work in an automobile during the latter part of July, 1937, and were driving down Independence Road at about 10:15 P. M., a crowd from one hundred to one hundred and fifty pickets, lined up on both sides of said road, showered the car with stones and bricks; that the windshield and windows were broken and dents made in the body of the car; and that Steve Horvath's hand was badly smashed by a brick thrown through the window, which made it necessary for the said Horvath to remain in St. Alexis Hospital for a period of five days. Respondent believes that the witnesses, John Erben and Steve Horvath, if permitted, would so testify.

Respondent further offers to prove that three employes of its Cleveland district were in an automobile on their way to their work on July 26, 1937, at about 10:30 P. M.; that as said automobile proceeded northerly on Independence Road, a group of pickets was noted; that one of said pickets stood in the road, motioning the driver to stop; that upon

his failure to stop, stones were thrown by members of said group shattering the windshield, breaking the windows and putting a number of dents in the body of the car; that said car was driven by Joe Evanovich, and that one of the passengers, known as Dick, was cut on the forehead by flying glass. Respondent believes that the witness, Joe Evanovich and Mike Steffar, if permitted, would so testify.

Respondent further offers to prove that at about 5:00 o'clock P. M. on Sunday, June 27, 1937, Mike Gnatovich, an employee of respondent at its Cleveland Plant, was driving north on East 54th Street when a car came along side and squeezed him to the curb and made him stop; that four men were in said car; that two of them got out and came to his car asking him to get out; that when he hesitated he was grabbed by the arm and pulled out; that another of said men took him by the other arm and struck him with a black jack; that two other automobiles came upon the scene, one stopping in front of, and one behind, his automobile; that someone alighted from the front car and said to the man with the black jack, "That man is all right. He don't bother nobody."; that at said time the men returned to their cars and all three cars drove away; that in said group was a former employee of respondent at its Coke Plant; that at about 1:45 A. M. on August 14, 1937 a stone was thrown through the window of the room of the said Mike Gnatovich; that the said Mike Gnatovich has been approached on many occasions by members of the C. I. O., requesting that he sign up with them, and that said Mike Gnatovich is not a member of said organization. Respondent believes that the witness, Mike Gnatovich, if permitted, would so testify.

Respondent further offers to prove that Irving E. Graves and Consul Allen, employees of respondent at its Cleveland Plant, were driving to work on July 26, 1937 at

about 10:30 P. M.; that when their automobile was near Broadway, at said time two or three men started to stone the car; that said stones broke the wind shield and left rear window and dented the body of the car, damaging the same in the amount of $83.83; that said Irving E. Graves received a bruised shoulder when hit with a brick and had fine glass in both eyes from the broken wind shield, and that the said Consul Allen also had glass in his eyes. Respondent believes that the witnesses, Irving E. Graves and Consul Allen, if permitted, would so testify.

Respondent further offers to prove that Chester Holley, Harry Broderick, John Buda, James Fowler and another employee of respondent by the name of Mike, were driving to work for respondent at its Cleveland Plant on July 26, 1937 at about 10:00 o'clock in the evening; that as said car proceeded southerly on Independence Road various crowds of pickets hurled stones at said machines; that one of such stones struck and broke the windshield and then struck the forehead of the said Chester Holley who was then and there driving said automobile; that the flying glass from the windshield cut his cheek; that the impact of said stone knocked him unconscious so that he momentarily lost control of said automobile; that during said period the automobile struck a railroad car to the right of said highway; that the impact of said collision roused the said Chester Holley; that the said James Fowler, another employee and a passenger in said automobile, was also struck by a stone; that the injuries inflicted upon said Chester Holley and said James Fowler incapacitated them and that the said employees were so injured as to require hospitalization and treatment. Respondent believes that the witnesses, Harry Broderick, John Buda, James Fowler and Chester Holley, if permitted, would so testify.

Respondent further offers to prove that as Lawrence

Hopp, an employee of respondent in the Cleveland Plant, was driving his automobile to his work on July 26, 1937 at 10:00 P. M. and traveling on Independence Road from 100 to 150 pickets were lined up on each side of said highway; that about ten of them started to throw bricks and stones, which missiles broke the windshield and windows of said automobile, knocked two holes in the roof of said car and made about ten dents in the body thereof; that one of said missiles was a brick which went through the windshield and struck the said Lawrence Hopp in the face, breaking his eye glasses and filling his eyes with glass; that the said Lawrence Hopp had about ten cuts in his face and that his shoulder was bruised by a brick. Respondent believes that the witness, Lawrence Hopp, if permitted, would so testify.

Respondent further offers to prove that at about 10:00 P. M. on the evening of July 26, 1937, when W. A. James, one of its employees at its Cleveland Plant, was driving down Broadway, he was ordered to stop by a group of pickets at the corner of Independence Road; that immediately following said order his automobile was showered with bricks and stones; that said bricks and stones broke the windshield and the right rear window, dented the right door and damaged the radiator shell, and that a piece of glass, so broken by said bricks and stones, stuck in his head, making it impossible for the said W. A. James and W. J. Stophel, at that time a passenger in said car, to go to their work that evening. Respondent believes that the witnesses W. A. James and W. J. Stophel, if permitted, would so testify.

Respondent further offers to prove that as Howard L. Jenkins, one of its employees at its Cleveland Plant, was driving to his work at about 10:45 P. M. on July 26, 1937, by way of Independence Road, C. I. O. pickets con-

gregated there, hurled stones and bricks in great numbers at his said automobile; that at said time there was riding with him, as a passenger, one Mr. Small, also an employee of the respondent; that on account of the stones and bricks so thrown the top of his automobile was torn, the body dented in eighteen places and the windshield broken, requiring repairs in the amount of $48.54, and that one of said bricks hurled through the top of said automobile struck him forcibly on the head. Respondent believes that the witnesses Howard L. Jenkins and the said Mr. Small, if permitted, would so testify.

Respondent further offers to prove that as John Kidd, one of its employees at its Cleveland plant, was driving to his work on July 26, 1937, at 10:30 P. M. and on Independence Road, four or five hundred pickets lined up on both sides of said road, hurled bricks and stones at said car; that at said time the said John Kidd was hauling, as passengers therein, two other employees of respondent, Badges Nos. 7218 and 7228; that said bricks and stones broke the rear window of said car, dented both doors and damaged both rear fenders, and that one of the said passengers was struck on the right arm with a piece of brick. Respondent believes that the witnesses, John Kidd and said passengers, if permitted, would so testify.

Respondent further offers to prove that as John Kless, Jr., one of its employees at its Cleveland plant, was driving to his work on July 26, 1937, at about 10:00 P. M. with a fellow employee, Thomas Dennis, as a passenger, his car was caused to slow down on Independence Road on account of a partial blockade of said highway by another automobile; that as said car slowed down, a piece of slag was thrown by a crowd of pickets congregated there, and stones were thrown at said car; that said piece of slag smashed the right front door and struck the said

Thomas Dennis on the shoulder, and that said other stones made small dents in the car. Respondent believes that the witnesses, John Kiess, Jr. and Thomas Dennis, if permitted, would so testify.

Respondent further offers to prove that as Harlen J. Mault, R. Skalla and G. C. Mault, employees of respondent in its Cleveland district, were proceeding to work in an automobile driven by the said Harlen J. Mault on July 26, 1937, at about 10:00 P. M., said car was met by a crowd of pickets near the intersection of Independence Road with Dille Road; that the members of said crowd began throwing slag and pig iron at said automobile; that said missiles broke the glass in the right rear window and made several dents in the body of said car; that one of said missiles cut the left side of the said Harlen J. Mault's nose, and that the said G. C. Mault sustained two broken ribs, necessitating hospital treatment for both. Respondent believes that the witnesses Harlen J. Mault, R. Skalla and G. C Mault, if permitted, would so testify.

Respondent further offers to prove that as H. Mulford and Fred Kirshnek, employees of respondent at its Cleveland Plant, were proceeding to their work in an automoile driven by the said H. Mulford at about 10:15 P. M. on the night of July 29, 1937, and were at a point on Independence Road, a crowd of about two hundred pickets were stationed on the right side of said road; that as said automobile was proceeding at that point, the said pickets began to throw bricks and stones; that said bricks and stones broke the right front window and caved in the right door of said automobile, and broke the shoulder of the said Fred Kirshnek; and that on account of said injuries, it was necessary for the said Fred Kirshnek to receive hospital and medical treatment. Respondent believes that the

witnesses H. Mulford and Fred Kirshnek, if permitted, would so testify.

Respondent further offers to prove that Michael Petrulak and John Green, employes of respondent at its Cleveland Plant, drove in an automobile to Dille Road Clock House on July 22, 1937 at about 8:30 A. M. to obtain their wages; that after receiving their wages the said Petrulak drove his machine up Dille Road to Broadway; that at the top of said road said car was met by some fifteen or twenty men who endeavored to hold back said car; that said men called Petrulak and Green scabs, rats, etc. and then threw stones at said car which shattered the windshield and caused John Green's neck to be cut by flying glass; that said automobile proceeded forward and met two policemen of the City of Cleveland to whom the incident was reported and with him they returned to the scene of the attack; that the said Petrulak and Green identified two of the men who had attacked them, one of whom was Sam Gukich an employee of respondent; and that the said Sam Gukich was found guilty of assault and battery and sentenced to the workhouse. Respondent believes, that the witnesses, Michael Petrulak and John Green, if permitted, would so testify.

Respondent further offers to prove that as James Reardon, one of its employees at its Cleveland plant was driving home from his work, a machine containing about seven men tried to force him to the curb on Clark Avenue Bridge at the B. & O. span; that in said automobile was an employee of respondent wearing Badge No. 1392; that the action of said machine caused the said Reardon to lose control of his machine and strike an open fence at the corner of W. 14th Street and Clark Avenue, damaging his automobile to the extent of $105; that on June 26, 1937, the said Reardon called at the home of Joe Gelinka at W. 7th

Street and after said visit found his tires deflated; that after inflating them he stopped for the traffic light at the intersection at W. 14th Street and Fairfield Avenue at which time Peter Cushion, a blast furnace employee of respondent, jumped on the running board of the Reardon car and struck Reardon in the face with his fist; that said Cushion then stepped off the running board and drew a knife; that two other men stepped to the side of the car and started arguing; that during said argument, Reardon started his automobile at which time one of the others struck him on the nose with his fist; and that the said Reardon then escaped in his automobile and was enabled to render himself first aid. Respondent believes that the witness, James Reardon, if permitted, would so testify.

Respondent further offers to prove that as Raymond Smith, and Charles Urich, employees at its Cleveland plant, were proceeding to their work on July 26, 1937, at 10:15 P. M. in an automobile on Independence Road, a crowd of 150 to 200 pickets had congregated on said highway; that as said automobile reduced its speed to avoid striking the crowd, a colored man started to club the fender and bricks and stones were thrown; that the windshield and right door window were broken and a piece of slag 3″x4″x1½″ was thrown through the right rear window passing through the car and breaking the left rear window; that the said Raymond Smith received lacerations on his right index finger; that the following morning at 8 o'clock while passing CIO headquarters on Broadway, stones were again thrown at said car. Respondent believes that the witnesses, Raymond Smith and Charles Urich, if permitted, would so testify.

Respondent further offers to prove that as Robert Stringer, H. Snyder, F. Schultz, A. Yassany and L. Snyder, employees of respondent at its Cleveland Plant were

proceeding in an automobile on Independence Road, July 26, 1937, at about 10 P. M., and on the way to their work, they were met near the intersection of Independence Road and Dille Road by a crowd of pickets who began to throw stones and slag at said automobile; that said stones and slag so thrown smashed the right front fender, dented the radiator, the body and the top and broke the right wing glass; that on account of said stones so thrown L. Snyder received a blow on the right shoulder and F. Shultz had powdered glass in both eyes; and that said injuries necessitated hospital treatment for both of said employees. Respondent believes that the witnesses, Robert Stringer, H. Snyder, F. Schultz, A. Yassany and L. Snyder, if permitted, would so testify.

Respondent further offers to prove that as Daniel Swalwell and Richard Weiderman, employees of respondent at its Cleveland Plant were returning to their homes from their work on July 27, 1937, at about 1:30 A. M. and were proceeding on Jefferson Street, a crowd of pickets gathered in said highway and endeavored to stop said automobile; that when the automobile continued forward the members of this crowd threw rocks and stones into and against the said automobile, damaging the same to the extent of $75.81; that one of said rocks struck the said Swalwell on the right index finger and that on account of the injury so received it was necessary for him to seek treatment at St. Alexis Hospital and remain away from his work for one day. Respondent believes that the witnesses, Daniel Swalwell and Richard Weiderman, if permitted, would so testify.

Respondent further offers to prove that on the evening of June 26, 1937, one Ernest Hooper, an employee of respondent at its Cleveland Plant received an anonymous telephone call saying that the men who were to go to work

should meet at the Terminal; that about 6:15 A. M., June 27, 1937, David J. Thomas, Thomas Reese and the said Ernest Hooper traveled in an automobile to said point for the purpose of going to work; that when they arrived at that point there were present two other automobiles; that when they stopped said automobile, a man alighted from one of the other cars and after questioning them said "so you are a bunch of scabs" and started to beat said automobile with a crank that he carried in his hand; that in beating said automobile the said man broke the front and rear windows on the right hand side and that the said Thomas Reese on account thereof received three cuts on the face from flying glass. Respondent believes that the witnesses, David J. Thomas, Thomas Reese and Ernest Hooper, if permitted, would so testify.

Respondent further offers to prove that as Charles W. Thompson and one Radford, employees of respondent at its Cleveland Plant were proceeding to their work in an automobile on July 26, 1937 at about 10:15 P. M. they noted a crowd on Independence Road and a number of cars parked there; that as said automobile passed said crowd and said cars it was showered with stones and bricks; that said stones and bricks broke the right rear window, tore the front fender and the top of said automobile, damaging it to the extent of $36.67; and that the said Charles W. Thompson, was struck in the face above the left eye by a brick and also struck on the left elbow which injuries necessitated medical treatment. Respondent believes that the witnesses, Charles W. Thompson and Radford, if permitted, would so testify.

Respondent further offers to prove that as John Wagasky, Ed. Dirtek and John Zatorski, employees of respondent at its Cleveland Plant were proceeding to their work in an automobile on July 26, 1937, at 10:30 P. M., said

automobile was stopped on Independence Road by numerous pickets; that at that time the windshield and one head light were smashed by a club; that after starting said car said pickets threw bricks and stones at the same; that said attack resulted in the breaking of five windows and the denting of the body of said automobile; that the said Zatorski was hit by a club and that the said Dirtek was hit on the head by a brick. Respondent believes that the witnesses, John Wagasky, Ed. Dirtek and John Zatorski, if permitted, would so testify.

Respondent further offers to prove that as John E. Warner and Charles Rogers, employees of respondent at its Cleveland Plant, were driving to their work in an automobile on July 26, 1937, and were proceeding along Independence Road near Dille Road in the City of Cleveland, they met a crowd of 100 to 150 pickets congregated along said highway; that as they passed said pickets, bricks and stones were thrown into and against their said automobile, damaging it by tearing four holes in the top, denting the front and rear fenders on the left side, denting the body on both sides, breaking the windshield and all the windows except one, and breaking the head lights and tail lights; that said pickets damaged said automobile to the extent of $40.75 and that one of said missiles struck the said Charles Rogers on the right shoulder, which necessitated treatment at the plant hospital. Respondent believes that the witnesses, John E. Warner and Charles Rogers, if permitted, would so testify.

Respondent further offers to prove that as George Petite and Tony Mencen, employees of respondent at its Cleveland Plant, were proceeding to their work in an automobile on July 26, 1937 at about 10 P. M., they were ordered to stop at the corner of Broadway and Independence Road by a crowd of pickets; that simultaneously with said

command said car was showered with bricks and lumps of coal; that said bricks and lumps of coal broke the windshield and the right window and damaged and dented the left side of the body and the left running board of said car; that the said George Petite suffered painful cuts and bruises to his face caused by said bricks and said lumps of coal to be thrown through said windows and windshield of said car, which injuries necessitated first aid treatment at St. Alexis' Hospital and further treatment at Mt. Sinai Hospital and continued treatment by Dr. Reeger; and that by reason of said attack said employees were unable to go to their work. Respondent believes that the witnesses, George Petite and Tony Mencen, if permitted, would so testify.

Respondent further offers to prove that during the steel strike at respondent's Cleveland Plant certain men called at the home of Francisco Cira, an employee of respondent, and left word that they wanted to see affiant at the meeting hall on Broadway; that thereafter, on July 6, 1937, when said Cira was leaving his work for his home in his automobile, an unknown man at the corner of East 32nd Street and Cedar Avenue called him names and warned him not to go to work; that on July 26, 1937, at about 10:00 P. M., when he was driving his automobile to work on Independence Road and approached Dille Road, he noticed a crowd of pickets; that suddenly stones and rocks were thrown that struck his automobile, breaking the windshield and denting the body, and that a piece of glass so struck by one of said missiles cut the right corner of his mouth, necessitating treatment in the plant hospital. Respondent believes that the witness, Francisco Cira, if permitted, would so testify.

Respondent further offers to prove that as Lee Branch, one of its employees in the Cleveland District, was

proceeding to his work on July 26, 1937, at about 10:30 P. M., and had arrived at a point on Independence Road near The Grasselli Chemical Company's Plant, a crowd of pickets started to throw bricks and pig iron at his automobile; that said missiles tore holes in the hood and top, smashed the fenders, dented the radiator, and broke the right and left windows, the windshield, the spot light and mirror; and that on account of said damage, several pieces of glass entered the eye of the said Lee Branch, which injury necessitated hospital treatment. Respondent believes that the witness, Lee Branch, if permitted, would so testify.

Respondent further offers to prove that as Steve Horvat, one of its employees in the Cleveland District, was driving to his work on July 26, 1937, at about 10:15 P. M., and had reached a point on Independence Road, a crowd of pickets started to throw bricks and stones at his said automobile; that said bricks and stones broke the windshield and the two rear windows of said automobile and dented the hood, body and door thereof; and that glass from the windshield so broken cut his hand, necessitating hospitalization for five days at St. Alexis' Hospital. Respondent believes that the witness Steve Horvat, if permitted, would so testify.

Respondent further offers to prove that as Victor J. DeSantis, one of its employees in the Cleveland District, was proceeding along Independence Road in his automobile on July 26, 1937, at about 10:15 P. M., on his way to his work, he suddenly noticed about twelve pickets; that immediately a brick struck and broke his windshield and struck his right thigh, causing him to lose control of his automobile, which swerved to the right and struck a telegraph pole; that said twelve men disappeared after damaging his car, further smashing the radiator, the right front fender and the front part of the car; and that after

a time he was able to start his machine and proceed to his work. Respondent believes that the witness, Victor J. DeSantis, if permitted, would so testify.

Respondent further offers to prove that Joseph Kestranek, an employee of respondent at its Cleveland Plant, resides at 4705 Barkwill Avenue in the City of Cleveland, Ohio, with his wife, Mae Kestranek, and their son Joseph Kestranek, Jr., age twelve years; that on or about May 30, 1937, at about 3.20 A. M., a half-size pavement brick was thrown through their bedroom window; that the window blind prevented the brick from striking them as they slept in their bed; that one Kukolec, an employee of respondent under Badge No. 2139, a C. I. O. member, is the father of two sons; that as the said Joseph Kestranek, Jr., was on his way to school he was beaten by the two sons of the said Kukolec; that thereafter he telephoned his mother and told her that the two beat him and promised later to finish up on him; that the said Mae Kestranek went to the school, and later her son was again attacked by the two sons of Kukolec, who, in said attack, also struck the said Mae Kestranek, who rescued her son and was forced to call a taxicab to get home; that at about 1:30 A. M. about the middle part of July, 1937, another brick was thrown through their bedroom window; that on account of expected attacks, they barricaded said window with boxes of pillows in order not to be struck by any flying material; that on another occasion when the said Joseph Kestranek drove his automobile, a C. I. O. member, by the name of Tintor, and a former employee of respondent, with others, surrounded his car and told the said Kestranek that he would "get him"; that the said Tentor also used foul and threatening language; that after said bedroom windows were broken, the home was picketed, and that sons of the said Tintor used profane language and rode up and down the streets carrying signs on which were printed "Joseph

Kestranek is a scab"; that Richard Kerr, a neighbor of Kestranek, was told by C. I. O. members to keep away from said Kestranek and, if he did not, his windows would be broken also; that said Kerr refused to heed the warning, and about fifteen minutes after the said C. I. O. members spoke to him, his windows were also broken by materials being thrown; that another neighbor, who is a C. I. O. organizer, threatened to "get" Joseph Kestranek; that on September 10, 1937, when the said Kestranek and one Frank Schebek were on their way home after a ball game, they stopped at a beer cafe on Trumbull Avenue, at which time one Steve Pruska came over to the said Kestranek, calling him a scab and a son-of-a-bitching scab; that Pruska told Kestranek he had taken his job, and then grabbed him by the throat and began to choke him; that said Schebek, hearing the commotion, went to the rescue of the said Kestranek and was struck in the mouth with a pair of knuckles by another of a crowd of six men who were in the cafe; that the said Kestranek and Schebek left the cafe in a taxi and consulted the family physician, Dr. J. Slivka, who advised Kestranek that the muscles of his throat were paralyzed, and that he would be unable to work; that since the steel strike the said Kestranek family has been unable to rest or sleep in peace; and that the said Mae Kestranek has suffered from nervousness and has been treated by the family physician, the said Dr. J. Slivka. Respondent believes that the witnesses, Joseph Kestranek, Mae Kestranek, Joseph Kestranek, Jr., Richard Kerr, Frank Schebek and Dr. J. Slivka, if permitted, would so testify.

Respondent further offers to prove that John Pindroch, one of its employees in the Cleveland District, signed up with the C. I. O. a short time prior to the strike because he was forced to do so; that he started to serve on the picket line and later failed to report, at which time a bunch of men came to his house and ordered him to picket

duty; that he returned to work the first week the plant was reopened, and on several occasions gangs of men wearing C. I. O. buttons came to his garage when he would go to get his car to go to work; that on July 16, 1937, at about 1:00 o'clock in the morning, a steel ball, about two inches in diameter and weighing about a pound, was thrown through the window of his home with such force that it went through a plasterboard wall; that about one-half hour before the throwing of the steel ball, a piece of paving brick was hurled through the window; and that said piece of paving brick, after passing through the window, hit his wife and cut a large gash in her knee. Respondent believes that the witnesses, Mr. and Mrs. Pindroch, if permitted, would so testify.

Respondent further offers to prove that as H. J. Berusch, Joe Racut, J. Muron and George Rocawich, employees of respondent at its Truscon Steel Plant and members of the Security League, an organization of employees of said Plant, were returning in an automobile on July 27, 1937, at about 9:30 P. M. from a meeting at the West 25th Street headquarters of said Security League, said car was stoned by several persons; that said stones broke the windshield, the glass in two doors, the rear window glass and dented the sides, rear and top of the said automobile; that the said H. J. Berusch received a laceration and bruises on his left wrist on account of being struck with a brick; and that all of the other occupants of the said car were showered with broken glass. Respondent believes that the witnesses H. J. Berusch, Joe Racut, J. Muron and George Rocawich, if permitted, would so testify.

Respondent further offers to prove that Joseph Benedik, an employee of respondent in the Cleveland district, and whose automobile was stoned and damaged on July 26, 1937, as hereinbefore stated, was also approached by four

members of the C. I. O. at his home and told: "Quit or else we will 'get' you". Respondent believes that the witness, Joseph Benedik, if permitted, would so testify.

Respondent further offers to prove that on July 26, 1937, at about 8:00 P. M., Thomas Finding, one of its employes in the Cleveland District, and his wife were driving along at the end of the Clark Avenue bridge; that when their automobile was caused to stop on account of a traffic light, a man was seen standing with bricks in his hand; that as the automobile proceeded forward, said man threw the bricks at said car, striking and breaking the front window on the right-hand side; that said man then jumped on the running board of a car near by and followed the said Finding automobile for about a mile; that when the said Finding returned to work at the time respondent's plant was reopened, four men, former employees of respondent and wearing C. I. O. buttons, came to his home on the evening of July 8, 1937, and, in the presence of his wife, said: "Are you going to be a God-damned scab the rest of your life?", "Are you going to work tomorrow? If you do go to work, we will use stronger methods on you than we are using now."; that after said conversation, they further said: "Come down to headquarters and we will give you a basket of groceries and five gallons of gas every other day"; that the said Finding did not go to work on the Thursday and Friday following, because, after said episode, he was afraid to stay at his home and went out to the country for a few days to avoid the said C. I. O. men. Respondent believes that the witnesses, Thomas Finding and Mrs. Thomas Finding, if permitted, would so testify.

Respondent further offers to prove that Frank Frder, an employee of respondent in its Cleveland District, and a resident of 1420 Starkweather Avenue, signed up and paid one month's dues with the CIO; that about July 14, 1937,

several members of the CIO called at his home and threatened to kill the son of said Frank Frder, Elias Necklegly, if the said Frder continued to work; and that upon another occasion all ignition wires and light bulbs were pulled out of his automobile. Respondent believes that the witness, Frank Frder, if permitted, would so testify.

Respondent further offers to prove that one of its employees in its Cleveland District, Felix Grabowski, resides at 3216 W. 14th Street in the City of Cleveland, Ohio; that the said Grabowski was a member of the CIO and served for about two weeks as a picket during the strike; that he later dropped his membership in said CIO and returned to work when respondent's plant was reopened; that threats were made that the CIO would catch him and cut him up with a knife; that on July 11, 1937, at about 1:30 A. M., a stone, weighing about six pounds, was thrown through the front window of his home breaking said window; that the said stone landed on a bed in which the mother-in-law of the said Grabowski, a lady about 70 years of age, was sleeping; that the health of the said mother-in-law became bad immediately after this incident and that the said mother-in-law died on the 14th day of August, 1937. Respondent believes that the witness, Felix Grabowski, if permitted, would so testify.

Respondent further offers to prove that on July 26, 1937, at about 10:15 P. M. when one Steve Hrubey, an employee of respondent in its Cleveland District, was driving down Independence Road on his way to work he approached a crowd of pickets; that as he approached said crowd two men jumped on his car; that one of them punched him on the ear and the other demanded to know whether or not he belonged to the CIO; that others in the car started to beat the car smashing the side window and the rear window and denting the body; and that he then turned around and went

to his home being unable to work that night. Respondent believes that the witness, Steve Hrubey, if permitted, would so testify.

Respondent further offers to prove that the home of Peter Macey, an employee of respondent in its Cleveland District, was damaged on August 12, 1937 at about 2:45 A. M.; that at that time four windows were broken and glass scattered all over the room; that George Farago, an employee of respondent, stopped at the home of the said Macey shortly after July 6, 1937 and told the said Macey that if he kept on coming to work he was going to kill him and that on many occasions crowds of four, five or six men would stop at his home and threaten him if he continued to work. Respondent believes, that the witness, Peter Macey, if permitted, would so testify.

Respondent further offers to prove that one of its employees in its Cleveland District, John Pencak, joined up with the CIO and served for a time on the picket line; that he later refused to serve and returned to work when the plant reopened; that about two weeks after he returned to work Mr. Coca Cola came to his home about 6 P. M. and argued with him about work; and that two nights after that six stones were thrown through four windows in his home and glass scattered all over the floor. Respondent believes, that the witness, John Pencak, if permitted, would so testify.

Respondent further offers to prove that Andrew Petrus, one of its employees in the Cleveland District, joined the CIO in order to avoid being hurt; that previous to joining he was continually threatened by CIO members that if he did not join he would have his throat cut; that he served for about two weeks as a picket during the strike; that he returned to work on July 19, 1937; that about 2 A. M. one night shortly thereafter he was awakened by the noise of

windows breaking in his house; that said windows were broken by stones found in his rooms; that his son, Andrew Petrus, Jr., awoke, dressed and left his home in an automobile to seek assistance from the police; that on his way to the police station the said son noticed three men walking away from the home of the said Andrew Petrus; that the son, Andrew Petrus, Jr., returned home and took Mrs. Andrew Petrus with him for the purpose of identifying said men; that when Mrs. Petrus and Andrew, Jr., reached the three men, Mrs. Petrus recognized two of the men as Andy Waniak and Frank Schyglinsky, employees of respondent; that upon complaint, a police cruiser picked up the said Frank Schyglinsky and he was placed under arrest and taken to police headquarters where he admitted that he and another man had thrown stones through the windows of Andrew Petrus' house; and that the two said men for said acts were later prosecuted. Respondent believes that the witnesses, Andrew Petrus, Mrs. Andrew Petrus and Andrew Petrus, Jr., if permitted, would so testify.

Respondent further offers to prove that Albert Uber, one of its employees in the Cleveland District, returned to his work after the plant was reopened; that on July 8, 1937, at about 7:30 P. M. when he reached his home he was met by four men wearing green buttons who told him they were from CIO; that said men warned him not to come back to work or he would be sorry; that the same night someone broke into his garage and broke the glasses out of the doors and windshield of his car and damaged the four tires; that said damage was noted the morning following the warning by the CIO members; and that when the said Uber had his car towed to a garage for repairs CIO members attempted to upset the damaged car. Respondent believes that the witness, Albert Uber, if permitted, would so testify.

Respondent further offers to prove that A. E. Von Alt,

one of its employees in the Cleveland District, remained at work during the strike and until June 10, 1937, when the plant was shut down; and that at about four P. M. on that date the said Von Alt, together with one Walter J. Kingswell, left the plant through the west gate; that at said gate as the said Von Alt and Kingswell were in their automobile, members of the CIO picket line commanded them to stop; and that at said time the spokesman for said group, one Alex Balint, said to them: "Its O. K. fellows, you are out but don't try to come back."; that thereafter on July 26, 1937, at about 6:15 A. M. on West 3rd Street, a crowd of pickets started throwing stones and bricks at the said Von Alt as he was driving his automobile and that by reason thereof the windshield was cracked, the right rear window broken and dents in the body of the said car. Respondent believes that the witnesses, A. E. Von Alt and Walter J. Kingswell, if permitted, would so testify.

Respondent further offers to prove that one of its employees in the Cleveland District, Ben Antonelli, signed up with the CIO just a few days before the strike; that he signed at the insistence of a CIO member because of violence and destruction of his home; that he did not serve on the picket line for the first three weeks and received two notes which in substance said that if he did not serve on the picket line the members of the CIO would come and get him; that he thereafter reported for duty on the picket line; that on one occasion when he was attending a meeting at 8 o'clock he was called out of the meeting and a CIO member threatened to throw him in the river because of his alleged interest in the back-to-work movement; that several times two or three men called at his home advising his wife not to let him go to work; that he returned to work on July 8 or 9 following the opening of the plant; and that on July 31, 1937, at about 1:45 A. M. a large brick was thrown through the front window of his home breaking same. Re-

spondent believes that the witnesses, Ben Antonelli and Mrs. Ben Antonelli, if permitted, would so testify.

Respondent further offers to prove that Frank Foss, an employee of respondent in its Cleveland District, joined the C. I. O. prior to May 26, 1937; that said Foss served on the picket line for a period of two weeks after the strike and thereafter quit both picket line and organization; that thereafter he was informed that the "window smashers" had a list of intended victims and that his name was on the list; that he returned to work on July 6, 1937 and that on July 31, 1937, at about 1:15 A. M. a large stone was thrown through the front window of his home, breaking the same. Respondent believes that the witness Frank Foss, if permitted, would so testify.

Respondent further offers to prove that Steve Hlusak, one of its employees in the Cleveland District, was approached by six men on May 28, 1937, who came into his house and into his bed room where he was sleeping and demanded that he sign the C. I. O. card; that at this time he did sign such card and later served some time on the picket line, but did not pay any dues; that when the plant reopened on July 6, 1937, he returned to work; that two front windows were broken at his former residence on West 20th Street; that he was warned not to go to work or his ears would be blown off, and that finally, due to the continual threats and actions of C. I. O. pickets, it was necessary that he remove from neighborhood of his former residence. Respondent believes that the witness, Steve Hlusak, if permitted, would so testify.

Respondent further offers to prove that John Kicielinski, one of its employees in the Cleveland District, was a member of the C. I. O. for two months; that he served for a couple of days on the picket line and then quit the C. I. O. and joined the Back-to-Work Movement; that he returned

to his work on July 6, 1937 when the plant reopened; that on July 31, 1937, at about 12:30 A. M., two unknown men threw a stone through the window of his home and that on said stone was a note addressed to his mother saying, "We are warning your son not to go to work." Respondent believes that the witness, John Kicielinski, if permitted, would so testify.

Respondent further offers to prove that Caroline Klojay, one of its employees in the Cleveland District, returned to her work on July 6, 1937 when the plant reopened; that on said date, while returning to work, she and others with her were stopped by a group of pickets and advised that if they went to work they would get theirs later; that on July 9, 1937, at about 10:30 P. M., a brick was thrown through the window of her home and that about August 12, 1937, at 1:40 A. M., another window was broken in the downstairs, but apparently intended for her. Respondent believes that the witness, Caroline Klojay, if permitted, would so testify.

Respondent further offers to prove that on or about July 22, 1937 Tom Stevenson, a member of the C. I. O. and a former employee of respondent, together with fifteen others, picketed the home of E. W. Klostermyer at 2056 West 48th Street, in the City of Cleveland, Ohio; that the city police were called and ordered said men to stop picketing his house; that the police picked up one Casey and one Murphy and took them down to the police station where they were held for 24 hours because rocks were found in their car and a list of intended victims was found in Murphy's pocket; that on the next day, July 23, 1937, at about 2:00 o'clock in the morning, four rocks were thrown at the front window of the home of the said Klostermyer and that said rocks in addition to breaking the windows damaged some of the furniture in said home. Respondent believes that

the witness, E. W. Klostermyer, if permitted, would so testify.

Respondent further offers to prove that as Paul Laheta, Sr., one of its employees in the Cleveland District, left his work on the night of May 26, 1937, he was met by a group of 18 or 20 C. I. O. men outside the Lorain Avenue Bridge entrance to the Upson Plant; that one of said men threatened to throw him over the bridge if he did not sign a membership card in the C. I. O. then and there; that in response to this solicitation he did sign a card, although he never paid any dues; that he returned to work on the third day after the plant reopened; that on about July 14, 1937, at about 3:00 A. M., two half sized paving bricks were thrown through the front room window and through the front door of his home, making a hole in the plaster in the opposite wall; that a can of red paint was also thrown through the window at this time, which splashed the wall, the sofa, two chairs and the rug; that on several occasions groups of about 30 men came and picketed his home, carrying a sign indicating that he was a scab; that one Sunday morning shortly thereafter a man came to his home and asked his wife where he was, and that said man told his wife that he, the said Laheta, had better stay at home if he knew what was good for him. Respondent believes that the witnesses Paul Laheta, Sr. and Mrs. Paul Laheta, Sr., if permitted, would so testify.

Respondent further offers to prove that Bain Matthews is employed by respondent in its Cleveland District and has been an employee for approximately thirty-five years; that on or about July 9, 1937, three men, all of them former employees of the Bolt & Nut Plant, one of them being William Brophy, called at his home and warned him that he should not continue to work and that he was on a "hot spot;" that thereafter and on or about July 23, 1937,

at about 2:10 A. M., a brick was thrown through the front window of his home by some unknown person or persons, and that said brick broke the glass in said window and the window screen. Respondent believes that the witness, Bain Matthews, if permitted, would so testify.

Respondent further offers to prove that Ann Novorsky, an employee of respondent in its Cleveland Plant, returned to her work when the plant reopened on Tuesday, July 6, 1937; that on July 13, 1937, between the hours of 2:30 A. M. and 4 A. M., one John Karbuecceczk continued to throw stones at her house and then started to throw stones at the home of her mother; that during the time the said Karbuecceczk was throwing said stones, he continuously yelled scab, etc.; that she caused his arrest by the police; that the said Ann Novorsky did not sign a membership card with the C. I. O. and that Mrs. Karbuecceczk many times threatened that if she could get hold of a gun she would shoot all the people who were scabs. Respondent believes that the witness, Ann Novorsky, if permitted, would so testify.

Respondent further offers to prove that Vincent Rasch, an employee of respondent in its Cleveland District, signed a C. I. O. card but did not pay any dues after the strike was called; that the said Vincent Rasch returned to his work on or about July 8, 1937, after the plant was reopened; that after he had come to work three men stopped at his house and asked the landlady if he owned the house; that upon receipt of a negative answer they said, "Tell Vince if he goes to work it will be too bad for him and his family;" that about a week later slag was thrown at his windows, which missed the windows and hit the front of his house; and that about three weeks later a paving brick was thrown through the window in the front of the house with such force that it struck the woodwork across the

room. Respondent believes that the witness, Vincent Rasch, if permitted, would so testify.

Respondent further offers to prove that Walter Woznak, an employee of respondent in its Cleveland District, was, upon several occasions, contacted by Joe Lubowicz, who requested that he sign a C. I. O. card; that the said Woznak did not sign up with the C. I. O.; that he returned to his work a few days after the plant was reopened; that after he returned to his work three carloads of C. I. O. pickets came down to his house and advised him that they would take care of him and his cousin if they continued to work; and that on or about the morning of August 5, 1937, his automobile was damaged, the ignition wires thereof were cut, three tires were slashed, cinders were placed in the crank case and sugar put in the gasoline tank. Respondent believes that the witness, Walter Woznak, if permitted, would so testify.

Respondent further offers to prove that during the period from May 25, 1937 to July 6, 1937, the operations of the River Terminal Railroad, an interstate carrier, were hampered, hindered and delayed, and upon occasion entirely obstructed, by members of the C. I. O. picketing in the vicinity of its Cleveland Plants; that said pickets stopped locomotives of said railroad at blockaded crossings; that on may occasions said pickets climbed into the locomotive cabs and got into the cars making up the various trains and inspected the commodities making up the lading of said cars; that many times said locomotives would be halted by crowds charging upon the track in front of the locomotives, which caused those in charge of them to stop to avoid injuring said pickets; that upon one occasion, as an engine of said Company was moving a drag of twenty-one coal cars from track No. 138 to the west side, said train was suddenly stopped when said pickets cut said

string of cars at the Independence Road crossing; that after said cars were again coupled said pickets closed some of the angle cocks on the cars making up said train; that during said period the men in charge of the C. I. O. pickets at the various railroad crossings wore white ribbons in their coat lapels, and the men of whom they were in charge wore the button of the C. I. O. union; that said pickets inspected every train for food stuffs or clothing and in said inspections, after stopping said trains, would open the motor room doors on the Deisel engine; that on one occasion on or about June 29, 1937, at about 3 P. M., the gasoline motor car was being operated from the electrical shop to the main lead at the Independence Road crossing; that when the car was stopped at that point for the throwing of a switch, a crowd of C. I. O. pickets surrounded said car and the leader, wearing a white ribbon in his coat lapel, asked, "Where are you going?"; that Alex Szabo, in charge of the gasoline motor car, replied that he was going to the storehouse for gasoline; that said C. I. O. picket captain said, "No, you are not. You are going to take it back from where you got it;" that the said Szabo started to move said gasoline motor car, at which time the three pickets who were with said field captain attempted to stop the said Szabo, one of them striking his hand that held the controls, another striking him in the back, and the third attempting to throw him from the car; that the three C. I. O. pickets involved in said attack were John Skaroupka, Gerald Nolan and William Emick; that shortly after said attack one of the C. I. O. pickets indicated that Ray Clossin, a picket captain, had left orders with said pickets not to let the said Szabo through; that at any time when box cars made up any part of the load for the trains on said railroad, said pickets, being unable to ascertain the contents thereof, would not allow the engine hauling said trains to proceed and would force them to re-

turn said box cars to their original place; that on or about June 6, 1937, at about 10:30 A. M., a number of coal cars were being pushed from the east side to the west side of the plant; that as part of the train passed the Independence Road crossing, one CIO picket by the name of Gerald Nolan jumped by the eighth car from the rear and lifted the cutting lever, uncoupling said train; that the last eight cars drifted westward while the engine and the rest of the train suddenly stopped; and that the said Nolan stepped back from the train and shouted that he would tear up the tracks if they ran any more coal cars to the west side. Respondent believes that the witnesses, S. Greenough, William Holzinger, Andrew J. Murphy, Paul J. Plau, Alex Szabo, Clyde Oppelt, D. C. Wirt, Earl Ford, William Harnett, Harry J. Beebe, James Kenney, John G. Spencer and John J. Gannon, if permitted, would so testify.

Respondent further offers to prove that during the month of June, 1937, and while the steel strike was in progress at its Bolt & Nut Division, the entrance to said plant at 1970 Carter Road in the City of Cleveland was continuously barricaded by members of the CIO and that in addition to the pickets maintained at said entrance a barricade consisting of large timbers, large tin cans, railroad ties and a bench was maintained at said point which completely blockaded the vehicular entrance at said gateway and which had to be removed in order to permit the passage of the United States mail truck or other vehicle which said CIO pickets, who had arrogated to themselves the control of traffic at that point, would allow to enter or leave respondent's plant and when, upon occasion, said timbers making up said barricade would be removed, said CIO pickets would immediately replace them so as to maintain said barricade. Respondent believes that the following named witnesses, if permitted, would so testify.

James Moore
A. W. Baldwin
Perry H. Sherman
Louis Veres
Bernhardt J. Hauser
Art Anderson
Chester C. Burket
W. Leskowski
Frank R. Hollingsworth
Harry I. Smith
W. Wolf

Respondent further offers to prove that on Saturday, August 7, 1937, at about 7:30 P. M., as Joe Batcha, an employee of respondent in its Cleveland District, was walking along East 52nd Street in the City of Cleveland, Ohio, Mrs. Grlica, whose husband was formerly an employee of respondent, approached the said Batcha, saying: "You son-of-a-bitch, you lousy scab."; that the said Batcha proceeded down the street and, upon returning, had to again pass by the home of the said Mrs. Grlica, and as he was upon the side walk in front of said home the said Mrs. Grlica struck him on the back of the head and on the left shoulder with a clothes prop, and that the severe bruises caused by said attack prevented him from going to his work the next day. Respondent believes that the witness, Joe Batcha, if permitted would so testify.

Respondent further offers to prove that on or about May 23, 1937, one of its employees in its Cleveland District by the name of Anthony Buzzelli, received an injury fracturing the third and fourth fingers of his right hand; that on account of said injury it was necessary for him to make daily visits to the plant hospital; that on May 26, 1937, while he was coming to the plant for his daily treatment, he was stopped and advised that before he could have med-

ical treatment he would have to join the C. I. O. and pay $2.00 dues; that on or about July 5, 1937, at about 6:30 P. M., three men came to his home at 3464 East 116th Street and told him that he had better leave town or find himself another job; that the said three men made said threats more emphatic by pointing guns at him; that on another occasion while driving on 49th Street eight men jumped on his car and beat him with their fists about the head, face and chest and that said eight men advised him "if you know what is good for you, you will get down on the picket line." Respondent believes that Anthony Buzzelli, if permitted, would so testify.

Respondent further offers to prove that as T. G. Russell, one of its employees, was driving on Broadway near Dille Road, near the CIO headquarters, on July 26, 1937, at about 6:45 A. M., a crowd of pickets jumped on his car and, taking hold of his right rear fender, bulged it out in an attempt to turn the car over; that as he proceeded through said crowd one Joe Viadkovich, with others, threw stones at said car, one of which struck the left door handle; and that the said Joe Viadkovich, on another occasion, threw a piece of steel at the car of Robey Coffey. Respondent believes, that the witnesses, T. G. Russell, William Stausell and Robey Coffey, if permitted, would so testify.

Respondent further offers to prove that as Micke Warcholik, one of its employees in the Cleveland District, was on his way to work on July 18, 1937, at about 6:30 P. M., and was walking on West 5th Street, a short distance from his residence, ten men unknown to him stopped him and told him that he could not go to work; that when he attempted to proceed three men from said group attacked him; that one of said men with a club struck him over the head; that another of the group hit him and tore his shirt; that the third threw him down; that thereafter said men kicked him on the feet and on the left hip; that he was

able to make a get-away and ran to his work entering the plant through the west side gate; and that thereafter he received hospitalization at respondent's emergency hospital where he was treated for injuries to his head, hip and feet. Respondent believes that the witness, Micke Warcholik, if permitted would so testify.

Respondent further offers to prove that as Sam Banachowicz, an employee of respondent in its Cleveland District, was en route to his work about 6:30 P. M. on August 3, 1937, accompanied by his wife and another employee by the name of George Sanicki, and was walking in Lincoln Park, six men, one of whom was Joe Stefanik, approached said group and pointed to said Banachowicz and Sanicki saying, "There is a scab. They are going to work."; that thereafter one man in said group struck Banachowicz with a pair of knuckles; that Banachowicz started to run and that his wife began to yell and scream; that as said Banachowicz ran through said park he was met by another crowd of men who threatened him; that he then drew a pistol and continued running until he reached West 14th Street and Auburn Avenue where he was met by a policeman in an automobile; that he gave his gun to said policeman and was taken by him to the 9th Precinct Station and afterwards released; and that the said Sanicki was attacked and severely beaten. Respondent believes that the witnesses, Sam Banachowicz and George Sanicki, if permitted, would so testify.

Respondent further offers to prove that as one George Klaich, an employee in the Cleveland District, was walking from his home on W. 20th Street toward his work on August 7, 1937, at about 5:30 A. M. and was with another employee working under Badge #7773, whose first name was John, and was passing a lumber yard near the intersection of W. 19th Street and Abbey Avenue, four men, unknown to him, rushed out of the high weeds and attacked

him; that the said four men had wooden clubs with which they struck him on the head and back knocking him down; that as he fell he bruised his left knee; that said four men disappeared after he was knocked down; that he was then observed by another employee and taken to the plant in an automobile where he was taken to Emergency Hospital and treated for lacerations and abrasions of the left knee, contusions and abrasions of the back, scapular region and left buttock, contusions of the scalp and a sprain of the back; that said injuries were very painful and that he received medical and hospital attention therefor for a period of one month, during which time he was unable to continue his work. Respondent believes that the witness, George Klaich, if permitted, would so testify.

Respondent further offers to prove that Martin Krizovich, one of its employees in the Cleveland District, was approached at his home, on May 27, 1937, by members of the CIO and requested to join that organization; that he was told that if he joined and worked on the picket line he would receive $8.00 per day; that two days later three or four men, unknown to him, called at his residence; that the said men wore white ribbons pinned on their coats upon which ribbons were the letters CIO and the word "Committee"; that the said men requested him to join the CIO; that on several occasions when he was not at home CIO members called at his residence and spoke to his wife; that he returned to work on July 6, 1937, when the plant was reopened; that on July 20, 1937 at about three-five o'clock in the morning when walking home, on Martin Avenue, he was met by a CIO member, one George Cordioc, a former employee of respondent; that the said Cordioc asked why he was working when the strike was still on and upon receiving his reply to the effect that the strike was over, the plant open and work there for him, the said Cordioc suddenly attacked him, beat him several times

about his face and head with his fists; that city policeman, hearing the excitement ran from his position on Broadway; that the said Cordioc, seeing said policeman, ran away; that the said Martin Krizovich, was conveyed by said policeman to St. Alexis Hospital for treatment and was treated for injuries including the suturing of the skin under the left eye; that during the time he was working men from the CIO picketed his residence; that they told him if they caught him they would kill him; that the telephone wires from his residence were cut; and that his home was picketed by children from the neighborhood carrying signs containing the words: "Martin Krizovich is a Girdler's rat"; and that his wife was threatened by CIO members who told her they would blow up the house. Respondent believes that the witnesses, Mr. and Mrs. Martin Krizovich, if permitted, would so testify.

Respondent further offers to prove that Wilbur Childs, one of its employees in the Cleveland District, returned to his work on July 6, 1937 with the reopening of the Cleveland plant; that the said Wilbur Childs never signed up with the CIO; that on July 22, 1937, at 4:30 P. M. when he was leaving the plant he heard some loud talking at the entrance; that as he stepped out of the door someone hollered: "Let's get him"; that several men rushed him and hit him in the ribs with short punches; one of said fellows being a former employee of respondent; and that the police came and escorted him across the street. Respondent believes that the witness, Wilbur Childs, if permitted, would so testify.

Respondent further offers to prove that one of its employees in the Cleveland District, by the name of George Colquette, signed up with the CIO and served about three weeks on the picket line; that the CIO promised to pay him for such duty but did not do so and he quit; that said George Colquette returned to work on July 6, 1937 with

the opening of the plant; that on August 6, 1937 at about 4 P. M. he went to Sotak's saloon to get his pay check cashed; that when he came out it was raining and he started to run for the car; that at said time, one of a group of forty pickets, hollered: "Lets get him"; that he did not know any of them by name but recognized some of them as former employees of the Bolt & Nut plant; that said group started throwing clubs, beer bottles, iron pipes, stones and other objects at him; that one of said missiles struck him on the left side of the head opening a gash that required four stitches to close; that his right eye was blackened; that one of the pickets, by the name of Kelly, was about to strike him on the head with an iron pipe when the said Colquette cut him with his pocket knife; that his car was later stopped by pickets who overtook him and a policeman in one of their cars took him to jail for about three hours; and that he was later released without the preferring of any charges against him. Respondent believes that the witnesses, George Colquette, Jessie Little and Pink Frank, if permitted, would so testify.

Respondent further offers to prove that as Gabriel Liscak, an employee in the Cleveland District, was on his way to work on August 2, 1937, three men attacked him, one grabbing him by the throat and pulling his shirt open, one hitting him on the back of the head and the other kicking him; that he started home in the opposite direction when a large fellow about twenty-five years of age struck him on the jaw and felled him to the ground; that he lay there for five minutes and then arose and started for home through the back lots; and that he just got inside his door when the said men arrived. Respondent believes that the witness, Gabriel Liscak, if permitted, would so testify.

Respondent further offers to prove that one of its employees in the Cleveland District, Joseph Oder, was signed up by the CIO during the months of January, 1937 because

he was told that if he did not join up he would be out of a job; that as the said Joseph Oder was walking to his job on August 2, 1937, he was stopped at the corner of Lorain Avenue and W. 24th Street by four men who inquired if he was going to work; that when he replied in the affirmative one of said men struck him on the ear; that he then proceeded down the street to Bridge Avenue and West 24th Street and was again stopped by four men, one of them known to him as Steve Cupak, who hit him on the other side of the face; that he then boarded a street car and came on to his work; that he later swore out a warrant for Cupak's arrest and testified in police court against said Cupak; and that when arraigned the said Cupak pleaded guilty and was given a suspended sentence by the judge. Respondent believes that the witness, Joseph Oder, if permitted, would so testify.

Respondent further offers to prove that William M. Reynolds, one of its employees at the Cleveland plant, on August 6, 1937, went to Sotak's saloon about 4 P. M. to cash his pay check; that as he came out of said saloon and went toward his car a group of CIO pickets rushed him throwing stones, beer bottles, crates, clubs, iron pipes, milk bottles and other objects at him; that one of them struck him on the right eye; that he got a baseball bat from his car and drove the pickets away from the car long enough to drive the car away; that his car was chased by pickets in cars, one of which contained a policeman who pointed a gun at him and told him to stop; and that the persons in his car were taken to Central Police Station and released in about three hours. Respondent believes that the witness, William M. Reynolds, if permitted, would so testify.

Respondent further offers to prove that Mike Solar, one of its employees in the Cleveland District, returned to work on July 6, 1937 when the plant reopened; that on the Sat-

urday following July 6, four or five carloads of men came to his house, two of whom he recognized as being Joe Green and Al Kruggel; that the said men told his landlord that if he did not make the said Solar move out by Saturday night they would smash every window in the place; that on another occasion when he attempted to take his family out for a ride several cars blocked his driveway so that he could not get out; that on September 1, his landlord advised him that due to the fact that the CIO pickets were causing so much trouble he was forced to ask him to move; that he was forced to find a new home; that about ten or ten-thirty P. M. on September 15, 1937, as he was walking to his home after parking his car in the garage, a man whom he recognized as having lived near his former residence said "It's a Republic scab. I hate scabs"; that said fellow hit him in the eye with his fist; that he attempted to escape but was struck three or four more times; and that his resolve to do battle was thwarted by the appearance of several other strikers who came to help the man who had attacked him. Respondent believes that the witness, Mike Solar, if permitted, would so testify.

Respondent further offers to prove that on August 21, 1937 Mike Sroka, who has been employed in its Cleveland District for about twenty-five years, was assaulted by one Andrew Sluarcyrk, who hit him on the jaw; that the said Andrew Sluarcyrk had a knife in his hand and chased the said Sroka all the way home; that the next morning at 5 A. M. the said Andrew Sluarcyrk appeared at his home with a knife when he was starting to his work but that he got into the automobile with his foreman and came on to work; and that he later swore out a warrant against the said Andrew Sluarcyrk. Respondent believes that the witness, Mike Sroka, if permitted, would so testify.

Respondent further offers to prove that Earl Van Boxel

and Mrs. Earl Van Boxel, employees of respondent at its Cleveland plant, both signed CIO cards when advised that they would have no jobs unless they did so; that the said Earl Van Boxel has returned to work since the strike; that Mrs. Earl Van Boxel intended to return to work at the time the plant reopened but has been unable to do so on account of treatment received from CIO members; that during the month of June, Mr. R. Harte, accompanied by other men, called at her home and insisted that she come down to serve on the picket lines; that she is a trained nurse and could serve well in the first aid department; that on many occasions on her return to her home she found colored and white men sitting in her kitchen waiting for her to return; that on or about July 20, 1937 at about 8:30 P. M. she drove her car into the garage at her home; that as she started to get out of said car two colored men, both of whom she recognized as employees of respondent, attacked her; that one of them grabbed her by the shoulder and tore off her dress and slip; that the other kicked her in the abdomen and aggravated a pre-existing abdominal condition which necessitated immediate medical attention; that she was taken to the Huron Road Hospital for surgical attention; that said colored men who attacked her said that if she and her husband went back to work they would be seriously injured; that as a result of said attack she has been unable up to the present time to return to her work; and that she would like to do so. Respondent believes that the witnesses, Earl Van Boxel and Mrs. Earl Van Boxel, if permitted, would so testify.

Respondent further offers to prove that as Joseph Hudak, one of its employees in the Cleveland District, was returning to his home from his work about 9 P. M. on July 14 or July 21, 1937, a former employee of respondent by the name of John Suvak stopped at said Hudak's home and told him that his sons who were working for respondent

should watch themselves; that about July 31, 1937, one George Farogo, a former employee of respondent, called at Hudak's home with another man; that the said Farogo asked Hudak why he did not stay at home and said "Look what you fellows done to us Monday night" and Hudak replied "Look what you fellows did to us"; that after the above mentioned visits one morning at about 2:30 A. M. some person threw two bricks through Hudak's bedroom window; that said bricks broke and shattered two panes of glass and passed over Hudak in his bed; that one of said bricks struck another bed which was occupied by Hudak's two sons; that the brick struck his son, Edward, on the chest and struck the other son, Elmer; that said Edward's chest was injured and that the said Elmer's face was cut by said brick in the region of his nose and below his left eye; that the shattered flying glass cut affiant's right leg; and that upon another occasion when he was at home a CIO member by the name of John Yurich with another man called Yelsik, called at his next door neighbors house and said "Why don't Joe Hudak and his sons stay home; they are helliva scabs". Respondent believes that the witnesses, Joseph Hudak, Edward Hudak and Elmer Hudak, if permitted, would so testify.

Respondent further offers to prove that McKinley Stevens, an active C. I. O. member, at some time prior to May 26, 1937, said to one Andy Azre, Jr., an employee of respondent, that if the C. I. O. union won the strike he, the said McKinley Stevens, would run the larry car down on Walter Dunford, another employee of respondent because he, the said Dunford, would not join the C. I. O. union. Respondent believes that the witness, Andy Azre, Jr., if permitted, would so testify.

Respondent further offers to prove that Metro Barna, one of its employees in the Cleveland District, was a mem-

ber of the C. I. O. and did picket duty during the strike; that at the time respondent's plant resumed operations the said Barna quit said organization and returned to his work; that immediately thereafter six or seven men wearing C. I. O. buttons called at his home and told him to stay away from said plant, and if he did not stay away they would cut off his nose and his ears and make it very bad for him, and that the said Barna, in fear of such threatened injuries, remained away from his work for a couple of weeks. Respondent believes that the witness, Metro Barna, if permitted would so testify.

Respondent further offers to prove that Herbert G. Bernow, one of its employees in its Cleveland District, remained at his work after the calling of the strike until June 9, 1937, when the plant was shut down; that as he was leaving the plant in an automobile on that date, a crowd of approximately 150 C. I. O. pickets stopped his car, and that at said time Alex Balint, the spokesman for said crowd, said to the said Bernow and those with him, "You fellows are going out of the plant now, but you will never get back until you see me". Respondent believes that the witness, Herbert G. Bernow, if permitted, would so testify.

Respondent further offers to prove that as William Black, one of its employees in the Cleveland District, was enroute to his home after work, at about 6:50 one evening about the middle of July, 1937, his daughter, Betty, aged eight years, and standing some distance from his residence warned him that there were six men in the alley in the rear of his residence waiting for him to get home; that at that time the said William Black, instead of driving into said alley, proceeded to the Ninth Precinct Police Station, requesting aid; that two policemen from said station drove to his residence; that as he then drove by the alley he ob-

served Ernest Kozelka, George Wagner and Charles Valjato, employees of respondent; that his wife informed him that there were three other men waiting for him; that these men were in an automobile and were recognized to be John Sidorak, Joe Koper and John Farence; that as soon as the said Black returned with said policemen said three men left the scene; that later in the same evening, at about 7:45 o'clock, while he was eating his dinner, the said Ernest Kozelka, George Wagner and Charles Valjato entered his home without rapping on the door; that in the presence of Mrs. Black and the children, the said George Wagner ordered Black's sister-in-law to get up from the table and let him sit down to eat because the said Black was stealing his bread and butter; that immediately thereafter the said Ernest Kozelka went over to the said Black, grabbed him by one ear and ordered him out in the alley so that he could kick him; that the said Ernest Kozelka and George Wagner called him various vile and profane names and stated that his wife was just as bad for allowing him to go to work; that through the window he noticed the approach of the policemen and got up from the table; that at that time the said Kozelka pushed him towards the sink and towards the door; that in his defense he swung his arm and punched the said Kozelka in the chest, at which moment the police officers placed the said Ernest Kozelka, George Wagner and Charles Valjato under arrest and removed them to the police station; that for three nights during the period of the strike he did picket duty on orders of C. I. O. members, and that when the plant reopened for operation he returned to his work. Respondent believes that the witnesses, William Black, Mrs. William Black, Betty Black and the sister-in-law who was present at the time, if permitted, would so testify.

Respondent further offers to prove that as many of the men had remained at work after the calling of the

trike left the plant when it was shut down on June 9, 1937, a crowd of about 150 or 200 C. I. O. pickets stopped each and every car that came out and examined said cars, in addition to taking down the license number of each car, and that they also wrote down the names of the men who were recognized members of said group. Respondent believes that the witness, W. Walter Boddy, if permitted, would so testify.

Respondent further offers to prove that as Frank M. Caffrey, one of its employees in the Cleveland District, was leaving its plant on June 10, 1937, at about 3 P. M., after the plant operations had ceased, as a passenger in an automobile driven by another employee by the name of Anthony Van Alt, they were held up at the west side gate for the reason that the C. I. O. delegate, John Brezina desired to address them; that at said gate there was a crowd of C. I. O. pickets; that when said delegate arrived he informed the said Caffery and the said Van Alt that they were going out but not coming back, and to remember that; that on or about June 13, 1937, at about 11 P. M., the said Caffrey answered his telephone, at which time a male voice asked for Bert Caffrey and Frank Caffrey, Jr.; that when the said Caffrey replied that they were not at home, the voice said, "Why aren't they on the picket line?", and that when the said Caffrey said that he did not know, the said voice stated, "They better get on the picket line or we will go and drag them down." Respondent believes that the witnesses, Frank M. Caffrey and William D. Dale, if permitted, would so testify.

Respondent further offers to prove that as various employees at its Cleveland District who had continued to work after the strike was called and until June 10, 1937, when operations ceased, came out of the plant, their cars were stopped by a large group of C. I. O. pickets whose

captain and spokesman was one Alex Belint who said
are going out of the plant but you'll never get b
again''; that members of said group of pickets wrot
the license numbers of said cars and carefully scru
the occupants thereof to determine whether or no
knew any of them; and that to some of these dep
employees the said Alex Belint said: ''You're not
back and none of this house to house stuff.'' Resp
believes that the following witnesses, if permitted,
so testify:

Ralph Garlick
George Gierman
William Grimm
Dale L. Gross
John W. Hannah
Richard J. Heber
William P. Hutchinson
Robert S. King
Antoni Kokonik
James Lee
Stanley Litchenstine
William Knecht
John Mach
Paul Malinowski
Thornton D. Neff
Joseph Niskey
John Fowler
George Svetkovich
Wayne M. Weston
H. A. Wilkinson
John Marshalik
Harold L. Shields
Ernest Barnes
Joseph Hoskins

Fred Sheeler
Maciej Staniszewski.

Respondent further offers to prove that one Mike Klntorich, one of its employees at the Cleveland Plant, joined the C. I. O. and paid dues for three months; that the said Klntorich was anxious to return to work, quit the C. I. O. and did return to work; that four members of the C. I. O., to wit Joe Vidokinch, Frank Bogorich, Paul Kucnick and Joe Zuppa, together with Mrs. Joe Vidokinch, sent small children over to picket his home, calling all members of his family scabs and sons-of-bitches; that Mrs. Vidokinch told the 13-year old daughter of the said Mike Klntorich that she would break her neck if her father kept on working; and that the said four above mentioned men tried to hire boys in the neighborhood to break the windows of the said Klntorich home. Respondent believes that the witness, Mike Klntorich, if permitted, would so testify.

Respondent further offers to prove that one of its employees at the Cleveland Plant, Anthony Lubowatz, went out on strike on May 25, 1937; that the said Lubowatz returned to his work on August 13, 1937; that he was prevented from returning sooner on account of the great number of C. I. O. pickets who surrounded his home; that on August 11, 1937 Paul Franks, a C. I. O. member, came to his home and asked his wife his whereabouts; that upon being informed that he was not at home the said Franks said, "He had better come out on the picket line or when we catch him we will give him a licking."; that the said Paul Franks again came to his home and made threats which caused his wife to be frightened. Respondent believes that the witness, Anthony Lubowatz, if permitted, would so testify.

Respondent further offers to prove that John Novak,

an employee in its Cleveland District, signed a membership card in the C. I. O. and paid one month's dues therein under coercion of several men; that he served in the picket line for a few days because several C. I. O. members came to his home saying, "We'll be waiting for you."; that he returned to work on July 7, 1937 when the plant was reopened; that on or about 1:30 P. M. of said day, he received a call in the mill from his 14-year old daughter who said that there were six men at his home who stated that they knew he had gone back to work and that they were going to beat him up; and that as a result of said visit to his home, his wife suffered a nervous breakdown, requiring medical attention from the family doctor who advised him to remain away from his work for a few days because of the serious condition of his wife. Respondent believes that the witnesses, John Novak and Mrs. John Novak and their daughter above mentioned, if permitted, would so testify.

Respondent further offers to prove that John Ondraski, one of its employes in its Cleveland Plant, returned to work at the plant the day the plant was reopened on July 6, 1937; that thereafter, he was approached by several men who told him that if he went to work again they would kill him; and that on July 15th one Martinovich who lives at 1342 E. 140 Street and who had previously cautioned him about getting to work, asked him "If somebody blows up your house who is going to pay for the damage?" Respondent believes that the witness, John Ondraski, if permitted, would so testify.

Respondent further offers to prove that John Petro, one of its employees at the Cleveland District, joined the C. I. O. on May 8, 1937, because he was afraid not to join, and that as he returned to work in respondent's plant on July 12, 1937, two men from a large crowd of pickets at the

Clark Avenue Bridge said to him, "If you go back to work we will cut your ears off and also cut your head off." Respondent believes that if the witness, John Petro, is permitted, he would so testify.

Respondent further offers to prove that William Scott, one of its employees at the Cleveland Plant, who was not a member of the C. I. O., remained in the plant during the strike; that one day during the first part of June 1937 his wife 'phoned informing him that four men wearing C. I. O. buttons were at his home; that said men told his wife that she had better get him out of the plant; that thereafter his said wife was threatened every week; and that on or about July 11, 1937, at about 6:15 P. M., three men wearing C. I. O. buttons were loitering about his house, at which time his wife 'phoned him to take another way home. Respondent believes that the witnesses, William Scott and Mrs. William Scott, if permitted, would so testify.

Respondent further offers to prove that Winfield S. Sprow, one of its employees in its Cleveland Plant, remained in the plant until June 10, 1937; that on the night of May 30, 1937 at about 11 P. M., six or eight men came to his home; that his daughter answered the door and was informed by these men that if Mrs. Sprow wished to get her husband out of the mill they would guarantee his safety for him if he came out now, but if he did not come out now his life would not be worth one cent; and that when he left the plant on June 10th, due to a shut down, one Alex Balint, a C. I. O. leader, accompanied by some members, addressed the group saying "We're allowing you men to go out now, but we warn you, don't try to get back in and don't go around visiting each other." Respondent believes that the witness, Winfield S. Sprow, and his daughter above mentioned, if permitted, would so testify.

Respondent further offers to prove that as G. N. Wormwood, one of its employees at the Cleveland District, was leaving the plant, on July 9, 1937, a large crowd of men, a few of whom he knew, were waiting in line; that some of them said "Wait and see what will happen to you."; that he, at the time, was riding with Mr. Sheler, Engineer of the Power Division, to whom some members of said crowd said, "We know you, Sheler, and we'll get you next."; and that although he does not know the names of said individuals, he recognizes a few as having been previously employed by respondent. Respondent believes that the witnesses, G. N. Wormwood and Mr. Sheler, if permitted, would so testify.

Respondent further offers to prove that one Andrew Hajduk, one of its employees at the Cleveland District, returned to work after the plant reopened; that C. I. O. men in six or seven automobiles had called at his home; that said men called him "scab" and "a rat"; that when he was on his way to work and got off the Clark Avenue Bridge car men from the C. I. O. union doing picket duty at that point called him a scab and a rat; that one evening two men called at his home and asked him if he was working and that upon his affirmative reply the said men told him not to go to work and said that if he did continue to work the C. I. O. union would cut off his ears and nose and would place said parts in his pockets and send him to the hospital. Respondent believes that the witness, Andrew Hajduk, if permitted, would so testify.

Respondent further offers to prove that Gregor Piskura, one of its employees, joined the C. I. O. and went out on strike May 26, 1937; that he returned to his work on July 10, 1937; that while he was seeing about going back to work on July 9, 1937 Scottie Clossin, a C. I. O. leader, asked him to serve on the picket line; that when he told

him he was going back to work said Clossin threatened to break both his hands if he returned to work; and that on July 11, 1937, one Mike Sakmar came to his home and told him that the C. I. O. was going to win the strike and that he would be out of a job then. Respondent believes that the witness Gregor Piskura, if permitted, would so testify.

Respondent further offers to prove that Andrew Sydor, one of its employees, joined the C. I. O. and paid dues for three months; that he returned to work at the opening of the plant and that on July 9, 1937, his wife called him and warned him that there were several cars of men driving up and down the street in front of his home; that he returned from work by way of a back street; and that for about five days said men kept watch on his house so frightening him that he remained away from his work for about one month. Respondent believes that the witness, Andrew Sydor, if permitted, would so testify.

Respondent further offers to prove that one evening during the strike eight men wearing C. I. O. buttons called at the home of John Kubofcik, one of its employees; that one man wearing three C. I. O. buttons rapped at his door; and that when the said Kubofcik opened the door, looked at him and said to the others that they were looking at the right man, after which they departed immediately; that also during said strike one Frank, an employee of respondent as a millwright in the mechanical department, with another, called at said Kubofcik's home wearing C. I. O. buttons; that they entered without knocking and that the said Frank commenced yelling and shouting that they would blow up his home and kill him; that at said time his wife, Meri, was confined to her bed having recently undergone a serious operation; that after the departure of the said men the said Mrs. Kubofcik was very

upset; that some time later the said Frank again came into his house without knocking at a time when he was not at home; that Mrs. Kubofcik was in bed; that said Frank entered her bed room yelling and shouting that he would blow up the house with them and the children in it; that the said Frank then left the residence stating that he would get the said Kubofcik; that upon his return he found his wife scared and very nervous; that he called his family physician, Dr. Brayson, who treated his wife for nervousness. and that his wife is still in a nervous state. Respondent believes that the witnesses, John Kubofcik and Meri Kubofcik, if permitted, would so testify.

Respondent further offers to prove that Sam Ballachino, one of its employees in the Cleveland Division, signed up a C. I. O. membership card, but is not now a member; that he returned to work on the day the plant reopened and about one week thereafter two men stopped his wife on the street and told her if he continued to go to work she would never see her children any more; and that after said threat he did not return to work for two days and later returned with police protection. Respondent believes that the witnesses, Sam Ballachino and Mrs. Ballachino, if permitted, would so testify.

Respondent further offers to prove that after Sam Berghian, one of its employees at the Cleveland Plant, had returned to work after the strike, three former employees of respondent stopped him about 5:00 P. M. on July 30, 1937 at the west end of the Lorain Central Bridge and proceeded to shove him around and slap his face; that he signed a C. I. O. membership card after being continually nagged and pursued during working hours by Joe Gonzy, Vice President of the C. I. O. lodge at Upson, and Tom Stevenson; and that on several occasions men called at his home leaving word that if he did not appear

on the picket line he would lose his job. Respondent believes that the witness, Sam Berghian, if permitted, would so testify.

Respondent further offers to prove that Mary Bobak, one of its employees in the Cleveland District, did not sign a C. I. O. membership card; that she came back to work when the plant reopened on July 6, 1937; that on July 26, 1937, while coming home from the grocery store she was stopped by two men, one of whom was Joe Burk, who inquired if she was working, and upon receiving the affirmative reply, advised her that if she valued her life she had better not continue to work for if she did continue, she would get the same thing a man up the street got, which was a beating, a window smashing and the destruction of his automobile; that they also placed a sign on the side walk in front of her home saying, "Scab lives here"; and that after these threats she remained away from her work for about one week. Respondent believes that the witness, Mary Bobak, if permitted, would so testify.

Respondent further offers to prove that James Bramley, one of its employees in its Cleveland District, at about 7:50 P. M. on July 12, 1937, received an anonymous 'phone call advising him either to quit his job or that his house would be blown up. Respondent believes that the witness, James Bramley, if permitted, would so testify.

Respondent further offers to prove that on July 16th and 17th, 1937, groups of men averaging 12 to 16 in number called at the home of Sophie Brill, one of its employees in the Cleveland District, carrying signs saying, "Scab lives here"; that men from the Corrigan, McKinney Plant and the Bolt & Nut Plant threatened that if she did not quit going to work they would throw her into the Cuyahoga River; that the mother-in-law of the president of the C. I. O. lodge at the Bolt & Nut Plant threatened to pull

out her hair if she continued to work; that one John Olesik brought her the message from the C. I. O. with reference to being thrown into the river; and that a C. I. O. member at the Otis Steel Company whose brother was an employee of respondent continually called her "scab", "company rat", etc. and attempted to prevail upon her landlord to have her thrown out of her house. Respondent believes that the witness, Sophie Brill, if permitted, would so testify.

Respondent further offers to prove that Charles Jasinski many times during working hours attempted to prevail upon John Buczynski to join the C. I. O.; and that upon several occasions numerous men came to the Buczynski house for that purpose; that said John Buczynski, an employee of respondent, at its Cleveland Plant, returned to his work in the plant on July 6th and on July 8th, 1937, seven men wearing C. I. O. buttons called at his home and in his presence told his wife that if he continued to go to work they would cut him to pieces; that about two weeks later a group of several men called upon his landlord and told him either to put him out or increase his rent $5.00 per month and turn the money over to the C. I. O.; that on another occasion when leaving for work a woman beckoned to several men to follow him and they did attempt to follow him but he jumped over a picket fence and returned back home; and that on account of said actions and for fear of getting into trouble he was forced to remain away from work the full time. Respondent believes that the witnesses, John Buczynski and Mrs. John Buczynski, if permitted, would so testify.

Respondent further offers to prove that Peter Carpuk, one of its employees in the Cleveland District, was continually importuned by fellow members of the night shift and called "yellow rat" until he joined the C. I. O.;

that he served three days on the picket line; that he returned to his work upon the reopening of the plant; that on July 16, 1937 at 9:00 P. M. 15 men in three cars formed a picket line in front of his home carrying signs reading "A scab lives upstairs"; and that upon one occasion a former employee of respondent met him on the street and told him he would beat him up if he continued working. Respondent believes that the witness, Peter Carpuk, if permitted, would so testify.

Respondent further offers to prove that Peter Ciomcia, one of its employees in the Cleveland District, returned to his work on July 9th, after having served on the picket line for four weeks; that on July 15, 1937, Bill Brophy, Mike Yanak and Al Kruggel, members of the C. I. O., went to his home during his absence and told his wife that if he continued working they would not be responsible for what happened. Respondent believes that the witness, Peter Ciomcia, if permitted, would so testify.

Respondent further offers to prove that Joe Favero, one of its employees, who returned to work on July 6th, 1937, and who was not a member of the C. I. O., was visited on June 14, 1937, at his home at about 8:30 o'clock in the evening, by four men, two of whom were known to him as Mike Pollack and Frank Jenc; that the said Mike Pollack threatened to have him taken for a one-way ride if he didn't sign up with the C. I. O.; that the said man again called at his home on June 19, 1937, insisting that he sign up right there; that about a week later the said Mike Pollack tried to break up a meeting on West 25th Street, at which time said Joe Favero had a fist fight with the said Mike Pollack; and that on June 22, 1937 they again called at his home, at which time he turned the dog loose on him. Respondent believes that the witness, Joe Favero, if permitted, would so testify.

Respondent further offers to prove that one of its employees at the Cleveland Plant, Jack Homola, was approached many times about signing with C. I. O.; that he did not sign; that on the morning of July 19th at about 6:15 A. M. when he went to get into his car to go to work he found two of his tires flat; that at said time there were three men at his car, one of whom was Al Kuggel; that said men stated he was not going any place; that said Kuggel said "You get into the house before you get into trouble."; and that said man picketed his house until about 9:00 A. M., at which time he went to work on the street car. Respondent believes that the witness, Jack Homola, if permitted, would so testify.

Respondent further offers to prove that on or about June 9, 1936 six men driving a 1935 Plymouth car, license number BK-419, called at about 12 o'clock noon at the residence of Albert R. Irinyi; that when he answered the call they pulled him out on the porch and insisted that he join the C. I. O. and come down on the picket line; and that at about this time Mrs. Irinyi appeared upon the scene and began to holler in such a loud voice that they became afraid of attracting the neighborhood, and left. Respondent believes that the witnesses, Albert R. Irinyi and Mrs. Irinyi, if permitted, would so testify.

Respondent further offers to prove that Louis Kish, one of its employees in the Cleveland District, was employed temporarily during the strike by Triplex Screw Company; that on Friday, June 18th, 1937, at about 4:30 P. M., Murphy, from the C. I. O. headquarters, insisted that Kish was a scab and that Mr. Weber, President of Triple Screw Company should fire him, but the said Weber called Mr. Damnisch and told him Murphy had no right to make such demand; and that on June 21, 1937, the said Weber came to said Kish saying that the committee was

in the office and was picketing the place and that he would have to go; that he told Mr. Weber he was ready to go because he did not want any trouble; that when getting his hat and coat he recognized Bill Brophy, who pointed his thumb in the direction of the door, saying, "Come on, get going." Upon being asked what he meant by "Get going" said Brophy said "You worked too long at Republic and the boys are getting desperate."; that the general foreman of Triplex told Weber not to let Kish go out that way or the pickets would get him; and that the said Weber called for police protection and Kish was taken out of the plant in his car. Respondent believes that the witness, Louis Kish, together with the Mr. Weber, if permitted, would so testify.

Respondent further offers to prove that on May 26, 1937, at about 10:35 o'clock, Mike Urban, James Kuhns, Charles Jasinski and Joe Bonk were going around the departments telling the men to stop the machinery and were pulling switches on the machines. Respondent believes that the witness, Otto Klawuhn, if permitted, would so testify.

Respondent further offers to prove that on or about July 23, 1937, eight men, including J. T. Murphy, Al Naske, and Walter Bugacawicz, picketed the home of Bruno Lachendro, bearing a sign reading, "Scab lives here"; that upon another occasion at about 3:30 in the morning the police car apprehended a car bearing bricks and on the person of said Murphy found a list of persons whose windows they were to break. Respondent believes that the witness, Bruno Lachendro, if permitted, would so testify.

Respondent further offers to prove that on or about July 12th Frank Lutch returned to his work in respondent's Cleveland Plant; that the said Lutch worked for a period of three days; that on or about July 15th Joe Chu-

derewicz and Valentine Capak came to his home; that accompanied them to an automobile parked in front of house where they advised him that if he continued to wo they were writing the word "scab" on the side walk front of the house; and that when the National Guard w gone it would be too bad for those fellows who continu to work; and that as a result of said threats the said Fra Lutch has not returned to work and has been unable obtain other employment. Respondent believes that the w ness, Frank Lutch, if permitted, would so testify.

Respondent further offers to prove that Edward R gowski, one of its employees at the Cleveland Plant, turned to his work when the plant reopened and that o C. I. O. member called John who works on the second flo told him that if he continued to work he would be hurt. R spondent believes that the witness, Edward Rogowski, permitted, would so testify.

Respondent further offers to prove that Mike Rosc one of its employees at its Cleveland plant, returned his work on July 6, 1937; that on July 7, 1937, at abo 4:10 P. M., before he had returned from his work, thr men in a car, one of them being Nick Senyk, called at h home and told his wife that it would not be healthy f either one of them if he continued to go to work; and th the said three men returned later in the evening and a cused him of taking the bread and butter from their fa ilies. Respondent believes that the witness, Mike Rosc if permitted, would so testify.

Respondent further offers to prove that many tim during working hours men from other departments wou ask Stella Sivik to sign a C. I. O. membership card; th the said men told her that if she didn't sign she would lo her job; that upon one occasion, after she had returned work, on July 16, 1937, twenty men picketed her ho

carrying a sign reading "Scab lives here"; that Joe Green and Adelbert Kruggel were among said pickets; that about two weeks after she returned to work, on her way to work a man stopped her and advised her that if she knew what was good for her she would not go to work; and that after these two occasions she was afraid to go to her work or to go out nights. Respondent believes that the witness, Stella Sivik, if permitted, would so testify.

Respondent further offers to prove that John Malanik and Steve Doctor, former employees of respondent, upon numerous occasions attempted to frighten Joe Vinca, an employee of respondent in its Cleveland District, into joining the C. I. O., stating, among other things, that those fellows who did not join up would be beaten up, and it only cost $14.00 to do that and it would teach them a lesson; that on another occasion three cars of pickets called at the home of the said Vinca and told him not to go to work; and that on another occasion 12 or 15 of them were picketing his home when he arrived there, but immediately departed after he went into the house, got a shot gun and loaded it. Respondent believes that the witness, Joe Vinca, if permitted, would so testify.

Respondent further offers to prove that Nelson A. Wolf, one of its employees in the Cleveland District, and a former member of the C. I. O. returned to work on July 6, 1937; that after he had returned to work, Mike Yanak and two other men called at his home and told his mother to keep the said Nelson A. Wolf, his father and his brother at home or it would be too bad; that on July 17, 1937, at about 9:30 A. M., 16 or 18 C. I. O. members drove to the house and asked for him; that a former employee known to him said, "I am Stevenson from the C. I. O. of Upson;" that the said Wolf came to the door and asked them what they wanted; that among the group were Tom Stevenson and Walter Bugaczawicz; that the said Walter Bugacza-

wicz said, "Let's do our duty," and went out towards car to get a sign to place on the lawn; that the said reached for his shot gun, which was handy, and point at them; that the said Walter Bugaczawicz insisted on ing ahead with his picketing until some one from the bu called to him; that a police car came at that time searched said cars, and that upon command of the po officers the said pickets left the place in cars bearing 1937 licenses Nos. BL-818, DF-907 and BQ-981. Respon believes that the witness, Nelson A. Wolf, if permi would so testify.

Respondent further offers to prove that on or al January 29, 1937, a large number of men, 150 to 20 number, approached the plant of the Truscon Steel C pany and began to distribute literature relative to the ployees of said Company affiliating themselves with th I. O. union; that the said men arrived at the plant in a mobiles and parked along East 61st Street; that one the men in said group pulled, from under his coat, a p of gas pipe approximately 18 inches long and rolled it in a newspaper and placed it under his arm while wal through the crowd. Respondent believes the following nesses, if permitted, would so testify:

William A. Biddlingmeier,
Sidney R. Smith,
Paul Veasey,
Fred Dell, Jr.,
Edward M. Morgan,
Charles Gerheim, and
M. J. Krempa.

Respondent further offers to prove that John H. tal, one of its employees in the Cleveland District, retu to his work on July 9, 1937, having signed a C. I. O. previously, after frequent solicitations by one Valen

Cupak, and having served some time on the picket line; that on July 12, 1937, about 7 P. M., the said Cupak told him he was scabbing by returning to work, and that he would be sorry, and that when the National Guard left he'd like to see him try to get to work; and that on July 18, 1937, about 40 men marched up and down the alley close to his residence, among them one Joe Holvacs. Respondent believes that the witness, John H. Vastal, if permitted, would so testify.

Respondent further offers to prove that on or about July 26, 1937, at about 5:45 A. M., while Stella Lalewicz, an employee of Republic in its Cleveland District, was on her way to work, she was stopped by three men who forced her into an automobile and drove down to the Corrigan, McKinney plant and called her attention to the number of men they would get to work on her if she further attempted to go to her work; that one of the men exhibited a knife to her and threatened to cut her to pieces if she went back to work; that they then took her to the Truscon Plant, about two blocks from her home, and left her to walk home; that two men from the Truscon plant threatened to take her eighteen year old sister for a one way ride if she attempted to return to work; that one Dick Harte forced her to sign a C. I. O. membership card and later admitted that fact and promised to tear up the card, which he has not done, and that on account of all of the above related instances she was unable to work for about two weeks due to her extreme nervous condition. Respondent believes that the witness, Stella Lalewicz, if permitted, would so testify.

Respondent further offers to prove that on or about July 31, 1937 at 2 o'clock in the morning some person or persons unknown threw paving bricks through the front window of the home of Teddy Hadam, breaking a lamp and tearing the curtains; that attached to one of said bricks was a note, one side of which read, "Scab—warning,

do not go to work if you value your life," and on
side of said note, the following, "You son-of-a
broke your windows today but if you go we will b
head;" and that on another occasion two men
the home of the said Hadam and warned his m
since he and his father had gone to work that if
tinued to work the house would be blown up. R
believes that the witness, Teddy Hadam, togethe
mother, if permitted, would so testify.

Respectfully submitted,
THOMAS F. PATTON,
HARRINGTON, HUXLEY & SMI
DAY, YOUNG & VEACH,
Attorneys for Respondent,
Republic Steel Corpora

XLI.

CERTIFICATE OF THE NATIONAL LA
RELATIONS BOARD

The National Labor Relations Board, by its
duly authorized by Section 1, Article VI of the
Regulations of the National Labor Relations Boa
1, as amended, hereby certifies that the document
hereto constitute a full and accurate transcript of
record in a proceeding had before said Board ent
the Matter of Republic Steel Corporation and Stee
Organizing Committee," the same being Case No.
fore said Board, such transcript including the
testimony and evidence upon which the order of
in said proceedings was entered, and including
findings and order of the Board.

Fully enumerated, said documents attached hereto are as follows:

1. Stenographic transcript of testimony before the National Labor Relations Board, and John T. Lindsay, Trial Examiner for the National Labor Relations Board, on July 21, 22, 23, August 9, 10, 11, 12, 20, 21, 23, 24, 27, 28, 30, September 1, 2, 3, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 20, 21, 23, 24, and 25, 1937, including all exhibits introduced in evidence.

2. Copy of Respondent's petition for leave to introduce additional testimony filed January 21, 1938.

3. Copy of order, dated March 19, 1938, granting in part and denying in part petition for leave to introduce additional testimony.

4. Copy of Respondent's offer to prove, filed March 28, 1938, in re motion for leave to introduce additional evidence.

5. Copy of decision, findings of fact, conclusions of law and order of the National Labor Relations Board issued April 8, 1938, together with affidavit of service and United States Post Office return receipts thereof.

6. Copy of telegram dated May 3, 1938, addressed to Joseph W. Henderson, Packard Building, Philadelphia, Pennsylvania, notifying respondent of intention to vacate Board order on May 4, 1938.

7. Copy of notice, dated June 9, 1938, of intention to vacate Board decision and order, together with affidavit of service and United States Post Office return receipts thereof.

8. Copy of Respondent's objection to proposed action by Board vacating and setting aside its findings and order.

9. Copy of order setting aside Board's findings and order, issued June 14, 1938, together with affidavit of service and United States Post Office return receipts thereof.

10. Copy of Respondent's motion to dismiss the complaint and objection to further proceedings by Board, together with letter of June 30, 1938, enclosing same.

11. Copy of order, dated July 8, 1938, denying Respondent's motion to dismiss the complaint and objecting to further proceedings by Board.

12. Copy of the order, dated July 8, 1938, directing issuance of proposed finding of fact, conclusions of law, and order, affording opportunity to file exceptions and briefs and setting oral argument.

13. Copy of proposed findings of fact, conclusions of law and order of the National Labor Relations Board, issued July 8, 1938, together with affidavit of service and United States Post Office return receipts thereof.

14. Copy of Respondent's exceptions to proposed findings of fact, conclusions of law and order; request to the Board for further information; and Respondent's exceptions to the rulings of the Board and Trial Examiner upon motions, objections and offers to prove at the hearing on evidence herein.

15. Copy of letter from Steel Workers Organizing Committee, dated August 4, 1937, requesting extension of time to file exceptions to proposed findings of fact, conclusions of law and order.

16. Copy of letter, dated August 9, 1938, granting request of Steel Workers Organizing Committee for extension of time to file exceptions.

17. Copy of exceptions, filed August 9, 1938, by Steel Workers Organizing Committee.

18. Copy of supplementary order allotting time for oral argument, issued July 14 1938, together with affidavit of service and United States Post Office return receipts thereof.

19. Copy of petition for leave to intervene filed by Central Council of Steel Plants, Northern District of Republic Steel Corporation.

20. Copy of order denying petition for leave to intervene, dated July 26, 1938.

21. Copy of telegram, dated August 6, 1938, from Frank T. Bow, Attorney for Central Council of Steel Plants, Northern District of Republic Steel Corporation, re action on petition to intervene.

22. Copy of telegram, dated August 6, 1938, in answer to telegram re intervention.

23. Copy of letter from Steel Workers Organizing Committee, dated August 4, 1938, requesting extension of time for filing brief.

24. Copy of letter, dated August 6, 1938, granting extension of time to all parties for filing briefs.

25. Copy of stenographic transcript of oral argument before the National Labor Relations Board on August 11, 1938.

26. Copy of Respondent's motion to reopen record for further proceedings, and for leave to introduce additional evidence, and alternative motion that specified offers to prove be incorporated into and made a part of the record.

27. Copy of decision, findings of fact, conclusions of law, and order of the National Labor Relations Board, issued October 18, 1938, together with affidavits of service thereof and United States Post Office return receipts.

In Testimony Whereof, the Secretary of the National Labor Relations Board, being thereunto duly authorized as aforesaid, has hereunto set his hand and affixed the seal of the National Labor Relations Board, in the City of Washington, District of Columbia, this 2nd day of November, 1938.

NATHAN WITT,
Nathan Witt, Secretary
National Labor Relations Board.

(Seal)

XLII.

SUPPLEMENTAL CERTIFICATE OF THE NATIONAL LABOR RELATIONS BOARD

The National Labor Relations Board by its Secretary, duly authorized by Section 1 of Article VI, Rules and Regulations of the National Labor Relations Board, Series 1, as amended, hereby certifies that the documents annexed hereto are respondent's exhibits Nos. 65 and 66, which were offered in evidence but their admission was denied by the Trial Examiner, and are a part of the record in the above entitled matter previously certified to this Court under date of November 2, 1938.

In testimony whereof the Secretary of the National Labor Relations, being thereunto duly authorized as aforesaid, has hereunto set his hand and affixed the seal of the National Labor Relations Board in the City of Washington, District of Columbia, this 17th day of January, 1939.

NATHAN WITT
Nathan Witt, Secretary.
National Labor Relations Board.

(Seal)

CERTIFICATE OF GOVERNOR OF OHIO

(Printed)
(Seal of the State
of Ohio)
Martin L. Davey
Governor

STATE OF OHIO
Office of the Governor
Columbus

September 27, 1937

I, hereby, certify that the attached papers are the true and exact copies of the originals issued at the time of the strike situation and crisis in Ohio.

I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of September in the year of our Lord, one thousand nine hundred and thirty seven.

MARTIN L. DAVEY

(Seal of the State of Ohio)

RESPONDENT'S EXHIBIT NO. 65

PROCLAMATION

WHEREAS, the laws of the State of Ohio are being violated in the counties of Mahoning and Trumbull, State of Ohio, and violence has been resorted to by various persons in connection with the steel strike in said counties; and

WHEREAS, minor riots have occurred and a most ser-

ious riot is threatened in connection with the advertised reopening of two plants now closed; and

WHEREAS, the peace, comfort and safety of the citizens of said counties are in grave jeopardy because of promised action and threatened counter-action, and the peace and dignity of the State of Ohio are menaced; and

WHEREAS, official information indicates that the local peace officers will be wholly unable to cope with the situation that would otherwise arise on Tuesday morning and for some days thereafter;

NOW, THEREFORE, I, Martin L. Davey, Governor of Ohio, by virtue of the power vested in me, under Article 9, Section 4, of the State Constitution, hereby "Call forth the militia, to execute the laws of the State, to suppress insurrection, and repel invasion," in the Counties of Mahoning and Trumbull, State of Ohio.

Signed: .....

Martin L. Davey
Governor of Ohio.

Dated: June 21, 1937

RESPONDENT'S EXHIBIT NO. 66

Columbus, Ohio, June 24, 1937

General Emil F. Marx,
The Adjutant General of the State of Ohio,
Columbus, Ohio.

Dear General Marx:

Will you kindly transmit to Major General Gilson D. Light, the following order and statement of our position.

In view of the failure of the peace negotiations in connection with the steel strike under the auspices of the Federal Mediation Board, we are confronted immediately with the problem of maintaing law and order.

We can not waver. Our clear duty is to give every assistance to the local authorities to prevent lawlessness of every description, as it relates to the strike situation, without which wholesale slaughter is almost inevitable. The rights of all citizens must be protected. The people as a whole sustain the government and make its continuity possible. Government must not abdicate its sovereign powers and responsibilities to any who challenge its existence.

The right to work is sacred. The right to strike is equally valid. Those who want to return to their employment shall enjoy that privilege without being molested. Those who wish to remain on strike certainly are entitled to do so, and to continue any and all lawful practices.

Law and order are so elemental in their relation to the rights of man and the preservation of organized society that they rise above every other consideration among a free people. The safe-guarding of our liberties, individually and collectively, is a priceless heritage for our children, and the millions of future Americans yet unborn.

As the Chief Executive of Ohio, I look to you to see that this order is carried out with fidelity, calmness, impartiality and firmness. Thus there is placed in your charge the most solemn responsibility that has been given to any public official in these troublous times. We will support you with all the power and resources of the State government.

Sincerely yours,
(Signed) Martin L. Davey,
Governor of Ohio.

XLIII.

LIST OF EXHIBITS WHICH NATIONAL LABOR RELATIONS BOARD DESIRES TO HAVE INCLUDED IN PRINTED RECORD

BOARD'S EXHIBITS

1c	Complaint and notice of hearing.
1d	Supplementary charge—Youngstown.
1e	Supplementary charge—Warren.
1g	Original charge.
1h	Answer of respondent.
2	Petition to Mayor Henry W. Krier, Chief Stanley Switter, and Sheriff Joseph T. Nist re establishment of law and order, Massillon.
3	List of 81 men certified by Republic Steel Corp. for special police in Massillon.
4	List of 93 men composing Switter's police force after July 7.
5A	Printed letter to Mayor Krier re law.
8	Photograph: Henderson and another in shooting position.
9	Blank form: "Application for Public officials Bond $5,000 or less, Fidelity & Casualty Co. of New York".
10	Blank form: Bond to the City of Canton.
11	Copy: Invoice to Republic Steel Corporation for special police bonds—from Smith-Duerr-Lane Co.
12	Blank form: Bond to State of Ohio for Special Police Officers in Massillon.
13A	List of Canton and Massillon employees bonded by Republic Steel Corp.
B	Office file card of Duerr-Smith-Lane Co. re the cost of bonds for special police.

14A Copy of letter from Duerr-Smith-Lane Co. to Fidelity and Casualty Co. transmitting indemnity agreements of Republic Steel Corp.

B Blank form: contract of Indemnity Fidelity & Casualty.

16 Release to Stark County signed by Nist.

17 Release to Stark County signed by Lang.

18 Plan of Employee Representation—Canton Tin Plate.

19 Minutes of Employee Representation Plan of Canton Tin Plate May 8, 1937.

20 Subscription card to defray C. I. O. injunction suit.

21 By-laws, Employee Representation Plan, Division Canton, 1933.

22 Check-stub, Representative's pay, Canton Alloy.

23 Plan of Employee Representation, as amended, Alloy Division.

24 Sample ballot—Employee Representation Plan—Election 1935 (Canton Alloy)

25 "Republic—A Bulletin of Republic Steel Corp" April, 1934.

26 "Employee Representation"—Publication of Iron, Steel & Tin Institute.

27 Membership card, Employee Representation Association, Canton, J. M. Cox.

28 Proposed revision of by-laws of Plan of Employee Representation.

29 Plan of Employee Representation Association (Canton April 22, 1937).

30 Minutes of General Body of Employee Representation Plan, Canton, March 5, 1937.

31 Minutes of General Body of Employee Representation Plan, Canton.

32 Plan of Employees' Representation, Central Alloy District, Massillon Works, June 1933—Republic Steel Corporation.

33 Plan of Employee Representation, Republic Steel Corp., Central Alloy District, Massillon Works, amended May, 1934.

34 Schedule of regular meetings of the standing and joint committees of the Employees Representation Plan—Central Alloy.

35 Notice of special meeting of the General Body of Employee Representatives, Massillon for June 17, 1936, signed by G. H. Lohneis, June 15, 1936.

36 Notice of organization meeting of joint committee No. 3 for June 22, 1936, signed by G. H. Lohneis.

37 Notice of meeting of standing committee No. 4, Massillon for July 16, 1935, signed by G. H. Lohneis.

39 Minutes of special meeting of General Body of Employee Representatives November 7, 1936, Massillon, Central Alloy District.

40 Minutes of meeting of General Body, Employee representatives, September 22, 1936, Massillon.

41 Pay-check stub, Leo W. Cox, Central Alloy, pay of July 15, 1936.

42 Pay-check stub, Leo W. Cox, Central Alloy, pay of December 31, 1936.

43 Blank form: "Record of case presented to Employee Representatives", Representative's copy.

47 Plan of Employee Representation, Massillon plant, amended May 22, 1937.

48 Membership card, Employees' Representation Assn., Massillon.

49 Memo to Tefir Tabor to report to work, signed "Price, per C. S."

50 Memo to Sam Christ to report to work, signed "Price, per C. S."

51 Membership card, Independent Association of Republic Employees, Massillon.

2 Members identification card Employees Representative Association, Massillon, for Pete Mouyious.
3 Signature of Pete Mouyios on blank paper.
4 Letter, State of Ohio, Bureau of Motor Vehicles, Parker Car.
5 Employees Representation Plan, Youngstown District.
6 By-laws of Employee Representation Plan, Youngstown District.
7 Schedule of meetings at Youngstown.
8 Results of Employee Representation Plan (Youngstown) Election 1936.
9 Minutes of First Regular Meeting, Joint No. 2, E. R. P. Youngstown August 17, 1934.
0 Cases presented to Joint No. 2, E. R. P. Youngstown, March 20, 1936.
1 Forms: Record of case presented to representatives E. R. P. Youngstown.
2 Minutes of regular meeting General Body, E. R. P. Youngstown, February 25, 1937.
3 Minutes of special meeting General Body, E. R. P. Youngstown, February 26, 1937.
4 Minutes of special meeting General Body, E. R. P. Youngstown, March 5, 1937.
5 Minutes of special meeting General Body, E. R. P. Youngstown, March 15, 1937.
6 Minutes of regular meeting General Body E. R. P. Youngstown, March 25, 1937.
7 Minutes of special meeting General Body E. R. P. Youngstown, April 19, 1937.
8 Minutes of Central Council E. R. P. Cleveland, March 8, 1937.
9 Minutes of special meeting of Northern District representatives March 18, 1937.

70 Proposed Revision of Plan of Employee Representation (Cleveland meeting)

71 "Republic"—a bulletin of Republic Steel Corporation, April, 1936.

72 "Republic"—a bulletin of Republic Steel Corporation, April, 1935.

73 Program of annual conference E. R. P. Youngstown, April 7, 1936.

74 Statement of number of delegates to Central Council.

75 Notice of fourth annual conference E. R. P. April 5, 1937 Youngstown.

76 Pamphlet entitled "Join the CIO—and Help Build a Soviet America"

77 Membership card, Independent Federation Republic Employees.

79 Membership card, Employees Independent Association, Warren.

84 By-laws, Plan of Employee Representation Warren, amended 1934.

85 Employee Representation Plan, Warren, Minutes of Standing Committee No. 2 for September 10, 1935.

86 Employee Representation Plan, Warren, Printed record of case presented.

87 Employee Representation Plan, Warren, Record of Representative's time (blank form).

88 Minutes of General Committee, Plan of Employee Representation, Cleveland, September 8, 1936.

90 Certificate of Election for Employee Representatives, Cleveland.

91 By-laws, Plan of Employee Representation, Cleveland, amended April 1936.

92 Letter dated January 19, 1937 to J. Exall from Republic Steel Corp.

93 Minutes of General Committee, Employee Representatives, Cleveland October 13, 1936.

94 Minutes of General Committee, Employee Representatives, Cleveland November 10, 1936.

95 Minutes of General Committee, Employee Representatives, January 5, 1937.

96 Announcement of September 10, 1936 of meeting of Health & Sanitation, Cleveland.

97 Printed letter of May 11, 1937 from Republic to "Our Employees"

98 Printed letter of June 15, 1937 from Republic to "Our Employees"

99 "What the Editors are Saying about the Republic Strike"

100 Plan of Employee Representation, Corrigan McKinney, March 19, 1934.

101 Stubs (4) of pay checks for Representation work in Cleveland.

102 Membership card, Employees Representative Association—Corrigan McKinney Division.

103 Reprint. Chicago Sunday Triune, March 28, 1937.

104 Printed letter of July 2, 1936 from Republic "To our Employees"

108 Certified Photostats from S. E. C.

110 Standard Statistics annual report of Republic Steel Corp.

111 Standard Statistics Bulletin of June 7, 1937 as to Republic Steel Corp.

113 Copy of telegram from John L. Smith to Secretary Perkins.

115 Plan of Employee Representation, Youngstown, Bylaws March 1937.

127 Supplementary charge, Canton.

RESPONDENT'S EXHIBITS

1 Map of Massillon strike area.

7 Copy of proclamation of Sheriff Nist of June 25, 1937.

15 Canton Back to Work Petition.

23 Constitution of By-laws of Independent Federation of Republic Employees, Youngstown.

24 Membership card of Independent Federation of Republic Employees, Youngstown.

33 Certificate of election for Employee Representatives, Youngstown.

47 Republic "Plan of Employee Representation"—By-laws as amended May 1934.

50 Offer to Prove violence (Youngstown—Warren—Niles).

57 Certificate of Election (Corrigan McKinney 1936).

59 Telegram dated May 3, 1937 from Clinton S. Golden to Tom Girdler.

60 Telegram dated May 5, 1937 from J. A. Voss to Clinton S. Golden.

61 Telegram dated May 6, 1937 from Clinton S. Golden to J. A. Voss.

62 Letter dated March 30, 1937 from Clinton S. Golden to Republic Steel Corp., Attn. T. M. Girdler.

63 Proposed contract between Republic Steel Corp. and S. W. O. C.

64 "Offer to Prove"—Cleveland District.

XLIV.

LIST OF EXHIBITS WHICH THE PETITIONER DESIRES TO HAVE INCLUDED IN PRINTED RECORD IN ADDITION TO THOSE REQUESTED TO BE PRINTED BY THE NATIONAL LABOR RELATIONS BOARD

BOARD'S EXHIBITS

No.

1-F Received R. p. 4—Order permitting filing of charge with Board.

105 Received R. p. 2383—Membership card, Republic employees association, Corrigan, McKinney Plant.

116 Received R. p. 5591—Report of Corporation in re total number of employees.

RESPONDENT'S EXHIBITS

2 Received R. p. 118—Journal entry (Stark County injunction order).

4 Received R. p. 1635—Photograph of guns and clubs.

5 Received R. p. 1635—Photograph of guns and clubs.

8 Identified R. p. 3441—Photograph of weapons.

11 Received R. p. 3907—Nomination ballot in plan for employee representation, Massillon plant.

12 Received R. p. 3909—Election ballot for employee representatives, Massillon plant.

13 Received R. p. 3914—Notice of election under employee representation plan, Massillon Plant.

14 Received R. p. 3919—Blank form for recording case presented to employee representatives (1 copy).

No.

16 Received R. p. 4045—Letter of Canton Chamber of Commerce in re vote on back-to-work movement dated May 31, 1937.

17 Received R. p. 4050—Report of election committee on back-to-work movement dated June 7, 1937—Canton, Ohio.

18 Identified R. p. 4166—Pink card distributed to Republic Steel workers by C. I. O. (dropped by airplane).

20 Received R. p. 4380—Election ballot employee representatives, Canton Plant.

21 Received R. p. 4380—Notice of election of employee representatives, Canton Plant.

22 Received R. p. 4402—Application card for membership in Steel Workers Union of America.

28 Received R. p. 4781—Nomination ballot for employee representatives, Youngstown plant.

29 Received R. p. 4787—Election ballot for employee representatives, Youngstown Plant.

32 Received R. p. 4790—Notice of election for employee representatives, Youngstown Plant.

36 Identified R. p. 4927—Permit issued to Dr. Thomas to enable him to pass through picket lines.

37 Received R. p. 4939—Copy of article in Warren Tribune Chronicle of June 11, 1937.

38-A and 38-B Received R. p. 4968—Photostat copies of records of Municipal Court of City of Youngstown.

39-A and 39-B Received R. p. 4968—Photostat copies of records of Municipal Court of City of Youngstown.

40 Identified R. p. 5247—Employment card of Charles Neverdusky, Youngstown.

41 Received R. p. 5303—Employment record of Charles Neverdusky.

No.

43 Received R. p. 5468—Notice of election of employee representatives, Warren Plant.

44 Received R. p. 5475—Notice of nominated candidates for employee representatives, Warren Plant.

45 Received R. p. 5473—Nomination ballot for employee representatives, Warren Plant.

46 Received R. p. 5476—Election ballot for employee representatives, Warren Plant.

48 Received R. p. 5483—Notice of results of election for employee representatives, Warren Plant.

51 Received R. p. 5506—Notice in re nomination and election of employee representatives, Corrigan, McKinney Plant.

52 Received R. p. 5508—Notice of first elections, Corrigan, McKinney Division.

53 Received R. p. 5509—Classification of voting districts, Corrigan, McKinney plant.

54 Received R. p. 5511—Nomination ballot for employee representatives, Cleveland District.

56 Received R. p. 5516—Election ballot for employee representatives, Cleveland District.

58 Received R. p. 5553—Blank form for presenting complaint to management representatives, Cleveland District.

65 Received R. p. 5571—Certified Copy of Governor's Proclamation.

66 Received R. p. 5571—Certified Copy of letter to General Marx from Governor Davey.

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IN THE

United States Circuit Court of Appeals,

FOR THE THIRD CIRCUIT.

No. 6907. March Term, 1939.

REPUBLIC STEEL CORPORATION,

Petitioner,

AND

CENTRAL COUNCIL OF STEEL PLANTS, NORTHERN DISTRICT, REPUBLIC STEEL CORPORATION; AND 150 OR MORE EMPLOYEES OF UPSON DIVISION OF THE REPUBLIC STEEL CORPORATION,

Intervenors-Petitioners,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent,

AND

STEEL WORKERS ORGANIZING COMMITTEE,

Intervenor-Respondent.

PROCEEDINGS IN THE UNITED STATES CIRCUIT COURT OF APPEALS, THIRD CIRCUIT.

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PETITION BY REPUBLIC STEEL CORPORATION, PETITIONER, FOR LEAVE TO ADDUCE ADDITIONAL EVIDENCE.

(Filed December 8, 1938.)

IN THE UNITED STATES CIRCUIT COURT OF APPEALS,
FOR THE THIRD CIRCUIT.

No. 6907. October Term, 1938.

Republic Steel Corporation,
Petitioner,

v.

National Labor Relations Board,
Respondent.

Now comes Republic Steel Corporation, petitioner herein, and respectfully prays this Honorable Court to grant it leave to adduce before this Court additional evidence material to the issues herein, which was not admitted or considered by the National Labor Relations Board in the proceedings before it.

The said additional evidence, the grounds upon which the petitioner believes it is material, and the facts with relation to the adducing of or the attempts of the petitioner to adduce such evidence before the National Labor Relations Board are hereinafter set forth.

1. Evidence that approximately 2000 of petitioner's employees at its Massillon, Ohio, plants did not wish to go out on a strike but did wish to continue at work, and that they signed the back-to-work petition at Massillon and application cards for membership in the Independent Association of Republic Employees, an independent labor organization at Massillon, of their own free will and without being influenced in that regard in any manner whatsoever by anything

that was said or done by the petitioner, its officers or agents; that approximately 2500 of its employees at its Canton, Ohio, plants did not wish to go out on a strike but did wish to continue at work, and that they signed application cards for membership in the Steel Workers of America, at Canton, an independent labor organization, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2900 of petitioner's employees at its Youngstown, Ohio, plants did not wish to go out on a strike, but did wish to continue at work and that they signed a back-to-work petition of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents, and that approximately 1900 of petitioner's employees at its Youngstown plants signed application cards for membership in the Independent Federation of Republic Employees, an independent labor organization at Youngstown, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2000 of the petitioner's employees at its Warren and Niles plants did not wish to go out on a strike, but did wish to continue at work, and that they signed application cards for membership in the Employees Independent Association, an independent labor organization, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2500 of the petitioner's employees at its Cleveland plants did not wish to go out on a strike, but did wish to continue at work.

The petitioner believes this evidence is material for the following reasons: The Board has found as a proposition of law that the back-to-work committees at Massillon, Canton and Youngstown, respectively, and certain

independent unions at various of the petitioner's plants are labor organizations within the meaning of Section 2 (5) of the National Labor Relations Act, and that "by its domination and interference with the *formation* and the administration" of these alleged labor organizations, the petitioner has engaged and is engaged in unfair labor practices as defined by Section 8, Subdivision 2, of the act. The Board has further found "that the respondent (the petitioner) has unlawfully *sponsored* and supported various labor organizations" and that "these organizations cannot in view of the circumstances operate as a true representative of the employees, and we shall order the respondent (the petitioner) to withdraw recognition from them and to disestablish them as such representative"; this evidence is competent and admissible because (a) the fact that thousands of the petitioner's employees at its various plants signed the back-to-work petitions of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents, tends to show that these back-to-work movements were not dominated or formed by the petitioner; (b) the fact that thousands of the petitioner's employees joined the independent unions at various of the petitioner's plants of their own free will without being influenced in that regard by the petitioner, its officers or agents, is, we believe, the best evidence obtainable that such independent unions were not sponsored, dominated or formed by the petitioner, but were created by the voluntary and uninfluenced action of the employees themselves in the absence of any interference or coercion by the petitioner; (c) the Board admitted evidence offered by the Board tending to show that some of the petitioner's supervisory agents sought to induce or coerce some of the petitioner's employees to join these independent union organizations, and this being true, the petitioner should be permitted to meet this evidence by showing that thousands of its employees became affiliated with such organizations of their own

volition; (d) the fact that thousands of the petitioner's employees did not wish to go out on a strike but did wish to continue at work is evidence bearing upon the issue tendered by the Board that the petitioner's employees went out on strike as a result of certain alleged unfair labor practices upon its part.

This evidence was adduced and offered by the petitioner at the hearing before the Trial Examiner and was excluded by the Trial Examiner, whose rulings were affirmed by the Board in its decision and order. The exclusion of this evidence is made the subject of assignment of error 32 in the petition for review herein.

2. Evidence tending to prove continued, concerted, wholly unprovoked and unlawful acts and conduct upon the part of strikers, pickets and persons affiliated with the Steel Workers Organizing Committee and the Committee for Industrial Organization, consisting of unlawful picketing, unlawful assemblage, riot, violence and general lawless conduct in and about the petitioner's Youngstown, Warren and Niles plants, said evidence being based upon the proffered testimony of approximately seventy-five witnesses and being embodied and described in detail in petitioner's offer to prove, marked its Exhibit 50, found in the transcript herein; and evidence tending to prove continued, concerted, wholly unprovoked and unlawful acts and conduct upon the part of strikers, pickets and persons affiliated with the Steel Workers Organizing Committee and Committee for Industrial Organization, consisting of unlawful picketing, unlawful assemblage, riot, violence and general lawless conduct in and about the petitioner's Cleveland plants, said evidence so offered and so excluded being based upon the proffered testimony of approximately 200 witnesses and being embodied in and described in detail in petitioner's offer to prove, marked its Exhibit 64, found in the transcript herein.

The petitioner believes that this evidence is material for the following reasons: (a) The record discloses that

the complaint herein was filed by the Board in response to charges made against the petitioner by the Steel Workers Organizing Committee; if the individuals, groups and organizations, in whose behalf charges were filed, were themselves guilty of many and repeated, wholly unprovoked and unjustified acts and deeds of violence, coercion and intimidation against the petitioner and its employees in the conduct of the strike, the Steel Workers Organizing Committee had no standing or right to file the charges against the petitioner and the Board should have dismissed the complaint herein predicated thereon; (b) in the complaint herein, certain of the petitioner's former employees at its various plants are specifically named as having been unlawfully discharged or refused reinstatement by the petitioner; this evidence tends to show that these former employees, acting in concert and conspiracy with others of the petitioner's striking employees, have been guilty of wholly unprovoked and unjustified deeds of violence and lawless conduct against the petitioner and its loyal employees in the conduct of the strike, a situation in which they are, in law, chargeable with and responsible for the unlawful conduct and acts of all of the petitioner's striking employees so acting in concert and conspiracy; this evidence, therefore, tends to show that the persons specifically named were, in law, themselves guilty of unprovoked and unjustifiable violence and lawless conduct and, more than that, that the strike itself, by reason of such conduct upon the part of the strikers, was, or became in its conduct and operation, an unlawful strike; and this evidence, therefore, is material because it tends to establish facts which at law operate to bar any right that the persons specifically named in the complaint might otherwise have had as employees of the petitioner to reinstatement or otherwise; (c) this evidence in behalf of the petitioner as to the unlawful and unjustified conduct of the persons specifically named in the complaint, is material as bearing upon the proposition as to whether or not the Board, to the extent that it exercises equitable

jurisdiction and powers, should, in the light of all of the facts in the case, have granted relief to such persons; (d) in its order here under review, as well as in its original order and proposed order, respectively, the Board has ordered the petitioner to offer reinstatement, upon application, to their former positions as employees of the petitioner, a large group of its former employees not specifically named in the complaint herein, thus injecting, as the petitioner contends, for the first time into this case the issue and question as to the right of this substantial group of strikers to reinstatement; this evidence is clearly material as bearing upon their right to reinstatement and as supporting the contention of the petitioner that they have lost any right in this regard they might otherwise have had by reason of their lawless and unjustifiable conduct.

This evidence was adduced and offered at the hearing before the Trial Examiner and was excluded by him, his ruling in that regard being affirmed by the Board in its decision and order. The petitioner made suitable offers to prove, fully covering the subject, which are found in the transcript. In its original petition, filed in this Court, to review the Board's original order of April 8, 1938, the petitioner assigned the failure of the Board to admit and consider this evidence as error. When the proposed findings of fact, proposed conclusions of law and proposed order of July 8, 1938, were issued by the Board, the petitioner filed another motion before the Board asking leave to adduce this evidence, which was overruled by the Board. The failure of the Board to receive and consider this evidence is made the subject of the petitioner's 29th, 30th and 31st assignments of error in its petition for review.

3. Evidence consisting of statements and proclamations by the Steel Workers Organizing Committee through the medium of its duly authorized officers, spokesmen and agencies, tending to show that the sole and proximate cause of the strike was the petitioner's refusal to sign a Commit-

tee for Industrial Organization form of agreement with the said committee. This evidence is as follows:

That as quoted in the report, printed for use of the Committee on Post Offices and Post Roads by the United States Government Printing Office, of Hearings Before the Committee on Post Offices and Post Roads, United States Senate, Seventy-fifth Congress, First Session, on S. Res. 140, held from June 11 to June 24, 1937, one Philip Murray testified under oath in said hearings in part, as follows:

> "I am chairman of the Steel Workers' Organizing Committee and vice president of the United Mine Workers of America." (P. 41 of said report.)

and in part, further as follows:

> "On May 26, 1937, a strike was called by the official representatives of all of the lodges of steel workers of the Amalgamated Association of Iron, Steel & Tin Workers of North America in the plants of the Republic, Inland, Youngstown, and Bethlehem companies. This strike went into effect at 11 P. M. on May 26, 1937." (P. 43 of said report.)

That on or about May 4, 1937, B. J. Damisch, Steel Workers Organizing Committee leader in the Cleveland area, made the following statement:

> "We do not like to strike but we don't want them to think that we're afraid. We will not run away from the battle. What was good enough for United States Steel Corporation units certainly ought to be good enough for Mr. Girdler."

That on or about May 5, 1937, Mr. Greggs, President of Campbell Lodge, of the C. I. O., made the following statement:

> "It was clear that the men would be satisfied with nothing less than a signed agreement."

That on or about May 6, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, made a state-

ment in which he said in part that he warned the independents that the union would call a strike if necessary, to win agreements on wages, hours and working conditions, and further said that the independents had formed an "unholy alliance" against contracts with the Committee and as a result would face a crisis in their coal mines "within forty-eight hours."

That on or about May 10, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, stated that the union would force such pacts even if it were compelled to "go to a court of last resort, a strike."

That on or about May 13, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, made the following statement:

> "So great has been the pressure put on us by our union members to secure written collective bargaining contracts we don't feel justified in continuing longer fruitless efforts to persuade these companies to sign contracts where there is every reason to believe they have no intention whatever of doing so."

That on or about May 13, 1937, a pamphlet was issued by Warren Lodge No. 1375, which stated in part as follows:

> "We are opposed to strikes but are determined to secure our legal rights which are guaranteed to every free American citizen. . .. . The Union is ready to sign. The responsibility for peace and harmony in this community now rests solely with the Republic Steel Corporation."

That on or about May 14, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, made the following statement:

> "If the managements of Republic and Sheet & Tube persist in refusing to sign contracts a strike is

inevitable. I cannot say whether that will be today, tomorrow or Sunday but it is inevitable."

That on or about May 14, 1937, Mr. Mayo, president of the Republic Lodge of C. I. O. in Youngstown, Ohio, made the following statement:

"Something definite will come from Saturday's conference which may result in steps to compel Republic and Sheet & Tube to sign a contract with C. I. O."

That on or about May 14, 1937, B. J. Damisch, Steel Workers Organizing Committee leader of the Cleveland area, made the following statement:

"Saturday is the deadline for agreement for Republic to sign a contract with the SWOC."

That on or about May 17, 1937, Niles Republic Lodge of C. I. O. released as information for publication, that it had voted to back any plans to induce employers to sign a contract and to call a strike "if found necessary."

That on or about May 26, 1937 Joe Morton, president of New Deal Lodge No. 1124, of Massillon, Ohio, made the following statement:

"This was strictly a move of our own lodge to strike. The men want recognition of their union, a signed contract. No negotiations with local officials are planned. That's between Girdler and Murray and we'll stay out until Girdler signs."

That on or about May 26, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, wired Mr. Girdler as follows:

"The strike was precipitated by you and your associates through refusal to sign a labor agreement."

That on or about May 27, 1937, Mr. Mayo, president of the Republic Lodge of C. I. O. in Youngstown, made the following statement:

"We mean to simply close the properties until a contract is agreed to."

That on or about June 3, 1937, Mr. Mayo, president of the Republic Lodge of C. I. O. in Youngstown, made the following statement:

"It is refusal of Sheet & Tube and Republic to give their workmen what they are entitled to under the law which has brought about the strike. Of course the steel workers here want to work but they want to work under protection of a signed contract. Frank Purnell and Tom Girdler can end the strike tomorrow by doing what the presidents of 157 other steel companies have done. There is no other issue. . . . Neither the Independent Federation of Republic Employees nor the Independent Society of Sheet & Tube are going to keep the steel workers from getting a contract."

That on or about June 4, 1937, the following statement was made by Philip Murray, chairman of the Steel Workers Organizing Committee speaking at an open-air mass meeting at the C. I. O. headquarters in Warren, Ohio:

"I'm prepared to say to Governor Davey that I'm not going to settle this strike until Tom Girdler places his signature on a written contract."

That on or about June 4, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, made the following statement:

"We won't settle until Tom Girdler signs (a) Union contract."

That on or about June 4, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, made the following statement:

"I'm not going to settle this strike until Tom M. Girdler signs an agreement."

That on or about June 4, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, in an address at Warren, Ohio, stated, in part, as follows:

> "We're not going to settle for anything less than a written agreement and I'm here to tell you that we're going to make Tom Girdler sign that agreement or we're going to whip him."

That on or about June 4, 1937, Philip Murray, chairman of the Steel Workers Organizing Committee, speaking at Warren, Ohio, stated in part as follows:

> "I'm going to tell him (Davey) that I won't settle until Tom Girdler signs an agreement. That's positive. And Tom will sign because we're going to whip him."

That on or about June 10, 1937, in a full page advertisement in the *Youngstown Vindicator,* signed "Steel Workers Organizing Committee" the following statement was made under the heading "Why Don't They Sign and End the Steel Strike?":

> "They are idle because their workmen went on strike for a signed contract. Workmen of Youngstown Sheet & Tube and Republic want a signed contract like the workmen in 160 other steel companies have. By all the laws of morals and justice they are entitled to a signed contract."

That on or about June 19, 1937, John Owens, C. I. O. director, made the following statement:

> "By Monday the searchlight of publicity will be focused on the real issues and companies refusing to sign will be condemned, not only by the President, but by every fair-minded citizen."

That on or about June 19, 1937, John Owens, C. I. O. director, speaking at Warren, stated in part as follows:

"The C. I. O. will never cease agitating and organizing until every non-union mill in the country has signed the contract.

". . .

"It won't end until Frank Purnell and Tom Girdler come to terms and agree to allow the workers to have their constitutional rights of a signed agreement. We have asked the workers in these steel plants to withhold their labors until Frank Purnell and Tom Girdler give them their constitutional rights of a signed agreement. We are going to continue the fight until we reach that objective."

That on or about June 22, 1937, John L. Lewis, chairman of the Committee for Industrial Organization, made a statement in part as follows:

"The C. I. O. is only asking that these four companies do what 258 other corporate entities in the steel industry already have done." (Sign a contract.)

That on or about June 22, 1937, John L. Lewis, chairman of the Committee for Industrial Organization, after meeting with the Federal Mediation Commission, made the following statement:

". . . The Steel Workers Organizing Committee is only asking these four steel companies to do what 258 corporate entities in the steel industry have already done. The S. W. O. C. has contractual relationship with 258 companies producing and fabricating steel, which employ 440,000 men.

"There will be no compromise by the steel workers on this question."

That on or about June 25, 1937, the Federal Mediation Commission issued a statement for publication which, in part, is as follows:

"The sole question therefore is whether an agreement should be reached."

That on or about June 27, 1937, O. L. Thomas of the Trumbull Lodge of the C. I. O., made a statement in part as follows:

"The fight has just started and as far as we are concerned it will continue until we get a signed agreement."

That on July 13, 1937, a telegram dated July 13, 1937, No. 1132-a, signed by Homer Downard, president, All Nations Lodge No. 1200, Steel Workers Organizing Committee, 1200P., and addressed to Tom Girdler, president—Republic Steel Corporation, was received by the addressee, which quoted in part, is as follows:

". . . We are on strike and will remain on strike until we get a signed contract with you. . . ."

That in the July 23, 1937, issued of *Steel Labor* (published twice a month by the Steel Workers' Organizing Committee) appears an editorial, under the heading:

"A TERRIFIC BEATING,"

which, quoted in part, is as follows:

". . . Republic Steel is the hardest hit, and is still suffering staggering losses daily because of the greatly curtailed production. Youngstown Sheet & Tube was also given terrific punishment, but the agreement just reached between that Company and the Union enables them to get back to better production.

"The estimate of the losses suffered by these companies for refusing to sign a contract with the S. W. O. C.—the sole issue in the strike—does not take into account the business permanently lost. It is known that a heavy volume of business from both Republic and Sheet & Tubes has gone to other companies which are assured of continued operations, because of their contracts. . . ."

This evidence is material for the following reasons: the Board in its order requires the petitioner to reinstate, upon application, a large group of strikers, upon the theory that they are entitled to reinstatement because the strike was caused fundamentally by certain unfair labor practices upon the part of the petitioner; if, as contended by the petitioner, the strike was caused solely and directly by reason of the refusal of the petitioner to sign a contract presented to it by the Steel Workers Organizing Committee, an act which the Board found did not of itself constitute an unfair labor practice, then it logically and necessarily follows that this large group of strikers not named in the complaint are not entitled to reinstatement because they have ceased to be employees of petitioner. The petitioner does not believe it will be disputed by the Board that the cause of the strike is a material issue and question in this proceeding.

This evidence was available at the time of the hearing before the Trial Examiner and the Board and it was not adduced or offered by the petitioner for the following reasons: in the complaint herein, it is alleged that the strike was caused by certain alleged unfair labor practices by the petitioner as sought to be described in the complaint "and by reason of the respondent's (petitioner's) refusal to enter into a written agreement with the Steel Workers Organizing Committee, attempts to negotiate which had been made by the Steel Workers Organizing Committee"; the alleged unfair labor practices to which the complaint refers consist of the alleged wrongful discharge of and refusal to reinstate, because of their union activities, etc., certain persons specifically named in the complaint, former employees of the petitioner at its various plants, and the closing down of certain of the petitioner's plants at Canton and Massillon; it is and, during the taking of evidence, was the firm and stated position and contention of the petitioner that the record herein contains absolutely no evidence tending to establish that the strike was caused di-

rectly or indirectly or in any degree by any of said alleged unfair labor practices, and that all of the evidence relating to this subject discloses that the strike was caused solely and proximately by the refusal of the petitioner to sign a form of written agreement presented by the Steel Workers Organizing Committee, an act which the Board itself has found was not, of itself, an unfair labor practice; that the burden of proof as to the cause of the strike has always been upon the Board and that there is here disclosed an utter and absolute failure upon the Board's part to sustain this burden; however, the Board, in its original decision and order of April 8, 1938, found that although the immediate cause of the strike was in part the petitioner's failure to sign the proposed contract presented to it, the fundamental cause of the strike and a substantial factor in its precipitation was a long series of unfair labor practices upon the part of the petitioner; this finding upon the part of the Board was made the subject of an assignment of error in the original petition for review filed in this court; after the Board had set aside its original order of April 8, 1938, the Board in its proposed findings of fact, etc., of July 8, 1938, again found that the fundamental cause of the strike and a substantial factor in its precipitation was a long series of unfair labor practices upon the part of the petitioner; the additional evidence which the petitioner now seeks to adduce, consisting in part as it does of statements and proclamations through the medium of duly authorized officers, spokesmen and agencies of the Steel Workers Organizing Committee, conclusively removes any doubt that might otherwise exist as to the actual, sole and proximate cause of the strike, and establishes that the only cause thereof was, as has been stated, the failure of the petitioner to sign the proposed written agreement; when the Board set aside its original order of April 8, 1938, and issued proposed findings of fact, conclusions of law and order, it should have granted to the petitioner the right to offer additional evidence tending to correct any obvious

mistake upon the Board's part as to any vital issue in the case, including that relating to the cause of the strike, and inasmuch as the evidence here offered by the petitioner conclusively brings before the Court what appears to be undisputed facts as to that issue, the petitioner believes the Court should admit and consider it.

This evidence was embodied in a motion filed by the petitioner with the Board on August 4, 1938, to reopen the record so as to enable the petitioner to introduce additional evidence, which motion was denied by the Board. The Board, however, at the time it denied the petitioner's motion to introduce additional evidence, made an order making its offer to prove upon the subject here under discussion a part of the record.

The refusal of the Board to receive and consider this evidence is one of the subjects of assignment of error 63 in the petition for review herein.

4. Evidence that prior to and/or soon after the reopening of such of the petitioner's plants as became involved in the strike, those of petitioner's employees who had gone out on a strike and had not returned to their work with petitioner were informed at petitioner's instance of the fact that said plants would be or had been reopened and that all persons on petitioner's payroll at the time of said strike, excepting those who had been guilty of acts of violence or of provoking, condoning or instigating acts of violence or of indulging in other unlawful acts during said strike, would be reinstated to their former jobs with petitioner upon their making applications therefor or as soon as production had increased sufficiently to justify adding more persons to the payrolls, wholly without any discrimination on account of union membership or lawful union activities. This evidence is as follows:

That as the plants of the petitioner, Republic Steel Corporation, were preparing to reopen, intensive efforts were made by petitioner to acquaint all persons who had been on its payrolls at the time of the strike with the fact

that the plants were to be reopened, and that subject to the exceptions hereinafter stated, their jobs were waiting for them. That this information was given to the employees in several forms. That it was printed conspicuously in advertisements in newspapers circulating in most of the cities in which the plants affected by the strike are located. It was released as statements, or stories, or both, to the newspapers, not only in the communities in which the plants are located, but through wire services and other media of dissemination of information, and notices covering reemployment of men were sent to newspaper commentators at broadcasting stations serving the communities involved for use in their news broadcasts.

That in the advertisements and statements formally issued by petitioner it was stated that all men on the payrolls at the time of the strike would be returned to their jobs, upon proper application, except such men as were guilty of acts of violence or of provoking, condoning or instigating acts of violence or other unlawful acts during said strike, and that there would be no discrimination on account of union membership or union activities.

That on June 21, 1937, an advertisement was placed in the *Youngstown Vindicator,* at the instance of petitioner. That this advertisement was entitled "NOTICE TO EMPLOYEES OF REPUBLIC STEEL CORPORATION" and is as follows:

> "According to the direct request of thousands of our employees who desire to work, we take this means of notifying them that the Poland Avenue Gate at Stop 5 will be opened at 7:00 A. M., Tuesday, June 22d, so that employees may return to work.
>
> "All employees should report to their foreman for assignment to their positions.
>
> "City and County authorities have assured us ample protection if needed.
>
> "Operations will be on a twelve-hour basis temporarily, with time and a half over eight hours.

"There will be no discrimination on account of Union membership. We cannot, however, rehire anyone who has been guilty of violence, or guilty of provoking, condoning or instigating acts of violence against the corporation, its employees, their homes or their families.

REPUBLIC STEEL CORPORATION."

That the substance of the above-quoted advertisement was sent as an official statement by petitioner, to all Cleveland newspapers, to all wire services, to the Dow-Jones Service, to the Universal News Service, to *Iron Age,* to *Daily Metal Trade,* to *American Metal Market,* and to the *New York Herald Tribune.*

That on June 26, 1937, an official statement was wired to the managing editors of the *Pittsburgh Post Gazette, New York Herald Tribune, New York Times, Detroit Free Press, New York Sun, Pittsburgh Sun Telegraph, The Youngstown Vindicator, The Canton Repository, The Cincinnati Enquirer, The Cleveland Plain Dealer,* the Associated Press, the United Press, International News Service and to a number of radio commentators. This statement quoted directly Mr. T. M. Girdler, chairman of the board of Republic Steel Corporation, and said in part:

"I was further misquoted in some of the press dispatches as saying that when our plants reopened Republic would refuse to rehire any former employees who had joined the C. I. O. I made no such statement and it is not true. Republic has posted notices in the plants stating its policy on the question of rehiring employees which stated that we cannot rehire anyone who has been guilty of violence or lawbreaking. I have never stated that Republic would refuse to rehire former employees just because they had joined the C. I. O. Our employees are free to join or not join any union, as they please."

That in addition to official statements made by the petitioner inviting men to return to work, newspapers published and circulated in the City of Cleveland, Ohio, carried stories announcing the reopening of the plants and the petitioner's offer to return to work, without discrimination because of union membership or union activities, employees who had been on the strike.

That on July 8, 1937, petitioner caused to be inserted an advertisement in the *Canton Repository,* published in the City of Canton, Ohio, which was in part as follows:

> "As our plants increase production, more and more employees will be called back to work. Men who were on the payroll prior to the strike will be taken back as the cases demand, except in cases where such employees have been guilty of provoking, condoning or instigating acts of violence or indulging in other unlawful acts."

That on July 10, 1937, petitioner caused to be inserted in the *Evening Independent* published in Massillon, Ohio, an advertisement which was in part as follows:

> "As our plants increase production, more and more employees will be called back to work. Men who were on the payroll prior to the strike will be taken back as the cases demand, except in cases where such employees have been guilty of provoking, condoning or instigating acts of violence or indulging in other unlawful acts."

That on July 10, 1937, petitioner caused to be inserted an advertisement in the *Niles Daily Times,* published in the City of Niles, Ohio, which was in part as follows:

> "Our position is that we will take back without medical examination all employees except those who have been guilty of violence or guilty of provoking, condoning or instigating acts of violence, or of indulging in other unlawful acts."

This evidence is material for the following reasons: the Board having ordered the petitioner to reinstate a very large group of strikers not specifically named in the complaint as having been unlawfully or improperly discharged or refused reinstatement, the petitioner should be permitted to prove that it did not in fact refuse employment or reinstatement to this group of its former employees because of union affiliations or activities, but on the contrary did offer to re-employ them as jobs were available for them, provided only that they had not been guilty, during the conduct or operation of the strike, of acts of violence or lawlessness.

This evidence was not adduced or offered at the taking of evidence before the Trial Examiner or the Board, and it was then available. The reasons why it was not adduced are as follows: as we have heretofore stated, it is, and, at all times during the taking of evidence in this case, was the position and contention of the petitioner that there is no issue in this case involving any question as to the reinstatement of the respondent's former employees not specifically named in the complaint as having been unlawfully and improperly discharged, refused reinstatement or otherwise discriminated against; this being true, the petitioner did not offer or adduce evidence before the Board relating to a subject which has to do with the rights of this large group of its former employees; after the Board issued its original order of April, 1938, in which it ordered the petitioner to reinstate this group of its former employees, the petitioner assigned the Board's action in that regard as error in its original petition for review filed in this Court, upon the ground that no issue had been tendered nor was involved in this proceeding as to these men; however, when the Board issued its proposed findings, etc. of July 8, 1938, and embodied therein as a part of its proposed order a command to the petitioner to reinstate this large group of its former employees, the petitioner, so as to adequately protect its rights in the premises, and to meet a question which

was, as the petitioner contends, injected into the case for the first time by the Board's original order and proposed order, asked leave of the Board to introduce this evidence; if there is, in law, and upon the pleadings herein, any issue presented to this Court in the review proceeding now before it, involving the reinstatement of this group of strikers not specifically named in the complaint, then in the interest of justice and to adequately protect and present the petitioner's rights in the premises, this evidence is material and should be admitted and considered by the Court.

This evidence was made one of the subjects of a motion by the petitioner that the record be reopened for further proceedings, and that petitioner be permitted to introduce additional evidence, filed after the Board's proposed findings, etc. were issued, and was denied by the Board, the petitioner's offer to prove in this regard, however, being made by order of the Board a part of the record herein.

The refusal of the Board to receive and consider this evidence is one of the subjects of petitioner's assignment of error No. 63 in its petition for review.

5. Evidence that portions of the proposed order are impossible of performance due to the radical changes in methods of manufacture employed by petitioner since the advent of the strike; that said changes have been brought about by the construction of a continuous tin plate mill in Niles, Ohio, and a new strip mill in Cleveland, Ohio, and by the utilization of more modern equipment for the conditioning of steel to improve the surface; that the former method of chipping out the surface defects with a chipping hammer and chisel has, since the start of the strike, been largely supplanted with the method of burning out the defects with a scarfing torch; that these new methods have reduced the number of men necessary in several of petitioner's plants and have caused the elimination of a very large number of employees in each one of the plants; that it will be impossible to replace many of these former employees in their normal or substantially equivalent jobs be-

cause the jobs which they formerly had no longer exists, and there are no jobs in petitioner's plants substantially equivalent to such jobs; that as a result of the new mills, the Canton tin plate mill has been dismantled because it was not able to produce a kind of product required by the trade and at the same time compete with modern methods of rolling; that the new mills also have required the elimination, except during periods of peak demand, of a group of tin mills called the 4-Part mills at Warren, Ohio, because the product made there is not comparable to that made in modern mills and because the operating cost is so much higher than that of modern mills that it is not economical to operate them; that the new strip mill in Cleveland, Ohio, which was finished in December, 1937, long after the strike, and which will further reduce the operations of the sheet mills at Massillon, Niles and Canton, Ohio, requires on many jobs the employment of an entirely different kind of skilled labor than that which operated the old sheet mills used by petitioner at the time the strike was started, and that it was necessary to obtain men from other plants who were familiar with this sort of specialized work; that these men who were hired at the new Cleveland strip mill were hired without relation to any labor trouble and were hired long after the labor trouble ceased; that it would be impossible to operate said new mills and to carry on the newly instituted methods of manufacture if persons ordered reinstated under the terms of the proposed order of the National Labor Relations Board are placed in the positions of such of its present employees as do the work in said new mills and handle the newly instituted methods of manufacture; that there are cases in certain units where certain employees with the longest service records have not returned to work since the strike; that to restore such employees to their former or substantially equivalent positions would mean the dismissal of all the men with the shorter service record, or dividing available work, and that such procedure would be productive of inefficiency and dissatis-

faction among employees, that the method prescribed for reinstating men is absolutely impracticable in that if applicants are placed who have a shorter service record than those who apply later with a longer service record, they will have to be again shifted to the place required by their records, and that there being no time within which applications for reinstatement must be made under the terms of the proposed order, continuing confusion and disruption of operations of petitioner's plants will occur; that considering the widely scattered locations of petitioner's plants in Ohio and at Monroe, Michigan, and at Beaver Falls and Pittsburgh, Pennsylvania, that portion of the proposed order which provides that on certain conditions, strikers shall be placed upon a preferential list to be given employment at any of said plants of petitioner before other persons are hired, has placed an insurmountable difficulty upon petitioner's operations in that vacant positions, wherever they may occur in such plants, will be required to be kept vacant until it is determined whether or not there are available for such positions any persons ordered reinstated.

This evidence is material because it tends to disclose facts and circumstances as they now exist with relation to the Board's order, and the general situation with which the petitioner is and will be confronted if and when such order is actually enforced.

The taking of evidence in this case was concluded in September, 1937, and, obviously, no evidence could have been offered thereat in anticipation of facts which might or might not thereafter exist or come into being, or of an order by the Board dealing with the facts as they might be found to exist more than a year later, as does that part of the Board's order here under consideration; inasmuch as the Board requires the petitioner to reinstate, under the terms of its order, certain of its employees and to do so as of a date more than a year after the taking of evidence in this case had been concluded, the petitioner should be permitted to present additional evidence dealing with the ever chang-

ing factual situation as it now exists; also, to the extent that this is a proceeding of an equitable nature, the petitioner should be permitted to call to the Court's attention the difficulties and obstacles which confront it with relation to the enforcement of the Board's order.

This evidence in substantially the form hereinabove set forth was made one of the subjects of a motion by the petitioner that the record be reopened for further proceedings, and that petitioner be permitted to introduce additional evidence, filed after the Board's proposed findings, etc., were issued, and was denied by the Board, the petitioner's offer to prove in this regard, however, being made by order of the Board a part of the record herein.

The refusal of the Board to receive and consider this evidence is one of the subjects of petitioner's assignment of error No. 63 in its petition for review.

6. Evidence that normal operations in petitioner's several plants mentioned in the complaint and involved in the strike, in the sense of employing a normal working force in the light of and measured by the business then on hand, and considered in connection with its inventories on hand and the production carried on generally at the time at other steel plants comparable to those of petitioner, were resumed (not necessarily in every department or mill of said plants, however) on or before July 30, 1937, except at its plants in the cities of Warren and Niles, Ohio, where such operations were resumed on or about August 30, 1937.

This evidence is material because it has a direct bearing upon the legal status of the strikers, i. e., whether or not they were employees of the petitioner after its plants resumed normal operations, in the light of the failure of such strikers to seek re-employment by the petitioner as of that time.

This evidence was available at the time the petitioner was making its defense before the Trial Examiner but was not then adduced for the reasons, generally, heretofore set forth with relation to the evidence described in subdivision 4 hereof.

This evidence, substantially as set forth above, was made one of the subjects of a motion to introduce additional evidence made by the petitioner after the taking of evidence had been concluded and before the Board's original order of April 8, 1938, was issued, and was also one of the subjects of a motion by the petitioner that the record be reopened for further proceedings, and that petitioner be permitted to introduce additional evidence made by the petitioner after the Board issued its alleged proposed findings, etc., of July 8, 1938. These motions were denied by the Board, but the petitioner's offer to prove in this regard was by the Board made a part of the record herein.

Refusal of the Board to receive and consider this evidence is made one of the subjects of assignment of error No. 63 in the petition for review herein.

WHEREFORE, Republic Steel Corporation, petitioner, respectfully prays this Honorable Court to grant it leave to adduce in this proceeding before this Court the additional evidence hereinbefore set forth and described, and to order that such additional evidence be taken before the National Labor Relations Board, its member, agent or agency, as this Court may direct, and be made a part of the transcript and record herein.

REPUBLIC STEEL CORPORATION,
Petitioner,

By W. W. HANCOCK,
Secretary.

DAY, YOUNG, VEACH & LEFEVER,
By LUTHER DAY,
THOMAS F. PATTON,
MORTIMOR S. GORDON,
RAWLE AND HENDERSON,
By JOSEPH HENDERSON,
Counsel for Petitioner.

STATE OF OHIO,
CUYAHOGA COUNTY, } *ss.:*

W. W. HANCOCK, being first duly sworn, deposes and says that he is secretary of Republic Steel Corporation, petitioner above named; that he has read the foregoing petition and knows the contents thereof; that the statements therein contained are true, as he verily believes.

W. W. HANCOCK.

Sworn to before me and subscribed in my presence this sixth day of December, 1938.

ARTHUR P. WINGLE,
(Seal) *Notary Public.*

MEMORANDUM.

We have filed this motion for leave to adduce additional evidence pursuant to the following provisions of Section 10 (e) of the National Labor Relations Act:

> "If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its member, agent, or agency, and to be made a part of the transcript."

The reasons why we believe this evidence is material, and the facts with relation to our efforts in behalf of the petitioner to have the Board consider it, are set forth in detail in the motion itself and, therefore, need not be repeated here.

The evidence relating to the formation of independent unions, etc. (Subdivision 1 of the motion), and to the alleged violence and lawless conduct of the strikers (subdivision 2) was offered before the Trial Examiner at the hearing before him and by him excluded; evidence as to the cause of the strike (subdivision 3), the willingness of the petitioner to re-employ strikers (subdivision 4), the situation which will confront the petitioner if the Board's order is enforced (subdivision 5), and the facts relating to the resumption of normal operations by the petitioner's plants involved in the strike (subdivision 6) was, in its various separate items, made the subject of a motion by the petitioner filed after the Board's alleged proposed findings, etc., of July 8, 1938, were issued and before the Board's order of October 18, 1938, here under review was made, this motion being denied by the Board.

The Board, by the provisions of Section 38 (c) of its Rules and Regulations, has the power to reopen the record and receive further evidence.

Each of the items of evidence sought to be here introduced by the petitioner was made the subject of a separate offer to prove by the petitioner, and these offers to prove are a part of the record herein, those relating to subdivisions 1 and 2, respectively, having been made a part of the record at the hearing before the Trial Examiner, and those relating to subdivisions 3, 4, 5 and 6 respectively, by action of the Board in its decision and order here under review. The Board, in its decision and order, has, as we interpret it, indicated, at least, as to some of the items of evidence under consideration, that the conclusions reached by it would not be otherwise than as set forth therein, even if the evidence sought to be adduced by the petitioner had been received and considered by the Board.

In this situation, counsel for the petitioner believe that, under the provisions of the National Labor Relations Act above set forth, it should not be incumbent upon the petitioner to file this motion, and that the evidence under consideration, having been made a part of the record herein by action of the Board itself, it is now before this Court, in the form of the various offers to prove submitted by the petitioner, for such action as the Court may deem advisable with relation thereto.

However, we have filed this motion out of what may appear to be excessive caution upon our part, and because of the decision of the Court of Appeals for the Second Circuit (March 14, 1938), in *Consolidated Edison Co. of New York, Inc. v. National Labor Relations Board*, 95 Fed. 2d, 390, wherein, upon a state of facts apparently somewhat similar to that here presented, the Court used language which might be interpreted, if applied here, as imposing a duty upon the petitioner to take such action. See, the 16th syllabus in that case which reads:

> "In proceeding to require re-employment of employee allegedly discharged for union activities when plant was shut down, where National Labor Relations Board unexpectedly completed its proof, and employ-

ers obtained continuance to certain date to obtain testimony of witnesses absent from the city, refusal to permit any witnesses to testify on such date, although testimony was available to show that other employees of less seniority, who were retained notwithstanding shut down, were better educated and better trained than complaining employees, was unreasonable and arbitrary, *but could not be complained of by employers in absence of application to reviewing court for taking of additional evidence.* National Labor Relations Acts, Secs. 8 (3), 10 (e), 29 U. S. C. A., Secs. 158 (3), 160 (e)." (Italics ours.)

In the situation thus presented, therefore, the petitioner, by its counsel, has filed this motion and respectfully prays the Court to determine what should be done in the premises.

Respectfully submitted,

REPUBLIC STEEL CORPORATION,
Petitioner.

DAY, YOUNG, VEACH & LEFEVER,
By LUTHER DAY,
THOMAS F. PATTON,
MORTIMOR S. GORDON,
RAWLE AND HENDERSON,
By JOSEPH HENDERSON,
Counsel for Petitioner.

Received and filed December 8, 1938.

WM. P. ROWLAND,
Clerk.

PETITION OF THE CENTRAL COUNCIL OF STEEL PLANTS, NORTHERN DISTRICT OF REPUBLIC STEEL CORPORATION, FOR LEAVE TO ADDUCE ADDITIONAL EVIDENCE.

(Filed December 12, 1938.)

To the Honorable, the Judges of the United States Circuit Court of Appeals, for the Third Circuit:

Now comes the Central Council of Steel Plants, Northern District, Republic Steel Corporation, having heretofore by leave of Court been made a party to these proceedings, prays this Honorable Court to grant leave to adduce additional evidence.

Petitioner alleges that said additional evidence is material and that there was reasonable grounds for failure to adduce such evidence in the hearing before the Board, for the reason that the petitioner was not a party to said proceedings, and that said Board denied a petition of petitioners for the right to intervene and adduce said evidence.

The said additional evidence which said petitioner desires to have made a part of the transcript herein would be in support of the following claims of your petitioner:

1. That the petitioner is an association of independent unions or association of employed workers, and its membership consists of labor unions whose members are in turn at the present time confined to employees of the Republic Steel Corporation.

2. The manner in which the petitioner and its constituent members were formed, and the numerical membership of said constituent members.

3. That the constituent members of the Council are an organization in which employees participate and which exists for the purpose in whole or in part of dealing with the Republic Steel Corporation concerning grievances, labor disputes, wages, rates of pay,

hours of employment and conditions of work, and that said individual members of said constituent associations would form or join said organizations to bargain collectively through representatives of their own choosing and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

4. At no time has the Republic Steel Corporation, with the knowledge or consent of the petitioner or its constituent members, dominated or interfered with the formation or administration of said Council or any of its constituent members or has the Republic Steel Corporation contributed financial or other support to said Council or any of its constituent members.

5. That certain of the members of the petitioner or its constituent associations, entered into contracts of employment with the Republic Steel Corporation after July 15, 1937, which said positions were not the former or substantially equivalent positions which had been filled by strikers prior to the employment of said members, which said members are now being discharged and their positions being filled by former employees who went on strike and did not return to their employment when operation of the said plants was resumed.

6. Such other and further evidence as may be pertinent to substantiate the claims of the petitioner's petition for intervention heretofore filed.

AUTHORITY IN SUPPORT OF PETITION.

In support of the foregoing petition for leave to adduce additional testimony, we respectfully direct the Court's attention to that part of Section 10 (e) of the National Labor Relations Act, which provides as follows:

"If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its members, agent, or agency, and to be made a part of the transcript."

CENTRAL COUNCIL OF STEEL PLANTS, NORTHERN DISTRICT OF REPUBLIC STEEL CORPORATION,

By FRANK T. BOW,
By JOHN P. WALSH.

UNITED STATES OF AMERICA,
STATE OF OHIO,
CITY OF CANTON,
STARK COUNTY, } *ss.:*

P. W. HORNER, being first duly sworn, deposes and says that he is chairman of the Central Council of Steel Plants, Northern District, Republic Steel Corporation; that he has read the foregoing petition and has knowledge of the facts stated therein; that the statements made in the foregoing petition are true to the best of his knowledge and belief.

P. W. HORNER.

Sworn to before me and subscribed in my presence at Canton, Ohio, this tenth day of December, 1938.

JULIA M. REPAGE,
Notary Public.

(Endorsements—Received and filed December 12, 1938 William P. Rowland, Clerk)

REFERENCE TO ARGUMENT.

IN THE UNITED STATES CIRCUIT COURT OF APPEALS,
FOR THE THIRD CIRCUIT.

No. 6907. MARCH TERM, 1939.

Republic Steel Corporation, et al.,
Petitioners,

v.

National Labor Relations Board, et al.,
Respondents.

And afterwards, to wit, the twelfth day of December, 1938, come the parties aforesaid by their counsel aforesaid, and this case being called for hearing on petitions to adduce additional evidence and petitions to intervene, before the Honorable J. Warren Davis, the Honorable John Biggs, Jr., and the Honorable Joseph Buffington, Circuit Judges, and the Court not being fully advised in the premises, takes further time for the consideration thereof.

(Orders on petitions to intervene appear in Volume VII of the printed record. Orders on the petitions to adduce additional evidence appear at the end of the proceedings in the Circuit Court of Appeals.)

STIPULATION AS TO RECORD IN NO. 6764.

(Filed December 14, 1938.)

IT IS HEREBY STIPULATED AND AGREED between the Republic Steel Corporation and the National Labor Relations Board, through their respective counsel, that this Court may take judicial notice of all proceedings heretofore had of whatsoever kind in Case No. 6764, March Term, 1938, in

this Court, entitled Republic Steel Corporation, Petitioner, v. National Labor Relations Board, Respondent, and also all of the proceedings in Case No. 21, Original, October Term, 1937, in the Supreme Court of the United States, entitled, In the Matter of the Petition of the National Labor Relations Board for a Writ of Prohibition and for a Writ of Mandamus Against the Honorable Joseph Buffington, the Honorable J. Warren Davis and the Honorable J. Whitaker Thompson, Circuit Judges of the Third Judicial Circuit, and the other Judges and Officers of the United States Circuit Court of Appeals for the Third Circuit, and that all of said proceedings in both of the aforementioned cases may be considered a part of the record in this case without the necessity of incorporating the same in the printed record and that either party may have embodied in the printed record after the final decision in this Court any or all of the proceedings in the above two cases; provided, however, that this stipulation is without prejudice to the right of any party to object that any of said proceedings in said Cases Nos. 6764 and 21, original, are irrelevant or immaterial to, or not determinative of or conclusive upon, any issue raised in this cause.

REPUBLIC STEEL CORPORATION

By JOSEPH W. HENDERSON,
Counsel.

NATIONAL LABOR RELATIONS BOARD

By CHARLES FAHY,
Counsel.

December 10, 1938.

(Endorsements—Stipulation to Include Record in No. 6764 Received & Filed Dec. 14, 1938 Wm. P. Rowland, Clerk)

STIPULATION AS TO EXHIBITS NOT IN PRINTED RECORD.

(Filed May 1, 1939.)

It is hereby stipulated and agreed between Joseph W. Henderson, attorney for the Republic Steel Corporation, and Charles Fahy, counsel for the National Labor Relations Board, that all exhibits which are not actually printed in the printed record of the above-entitled case shall be available to either side as physical exhibits, and used before any Court in connection with the case.

JOSEPH W. HENDERSON,
CHARLES FAHY.

April 28, 1939.

(Endorsements—Stipulation as to exhibits not in printed Record. Received & Filed May 1, 1939 Wm. P. Rowland, Clerk)

REFERENCE TO ARGUMENT.

IN THE UNITED STATES CIRCUIT COURT OF APPEALS,
FOR THE THIRD CIRCUIT.

No. 6907. MARCH TERM, 1939.

Republic Steel Corporation, et al.,

Petitioners,

v.

National Labor Relations Board, et al.,

Respondents.

And afterwards, to wit, the seventh day of August, 1939, come the parties aforesaid by their counsel aforesaid, and this case being called for argument sur pleadings and briefs, before the Honorable John Biggs, Jr., Honorable Albert B. Maris and Honorable William Clark, Circuit Judges, and the Court not being fully advised in the premises, takes further time for the consideration thereof,

And afterwards, to wit, on the eighth day of November, 1939, come the parties aforesaid by their counsel aforesaid, and the Court, now being fully advised in the premises, renders the following decision:

IN THE

UNITED STATES CIRCUIT COURT OF APPEALS,

FOR THE THIRD CIRCUIT.

No. 6907. March Term, 1939.

REPUBLIC STEEL CORPORATION,

Petitioner,

and

CENTRAL COUNCIL OF STEEL PLANTS, NORTHERN DISTRICT, REPUBLIC STEEL CORPORATION; AND 150 OR MORE EMPLOYEES OF UPSON DIVISION OF THE REPUBLIC STEEL CORPORATION,

Intervenors-Petitioners,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent,

and

STEEL WORKERS ORGANIZING COMMITTEE,

Intervenor-Respondent.

ON PETITION FOR REVIEW AND ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD.

OPINION.

(Filed November 8, 1939.)

Before BIGGS, MARIS and CLARK, *Circuit Judges.*

MARIS, *Circuit Judge.*

Upon a complaint based upon charges filed by the Steel Workers Organizing Committee (hereinafter called

S. W. O. C.), a labor union organization affiliated with the Committee for Industrial Organization, the National Labor Relations Board found the Republic Steel Corporation (hereinafter called Republic) guilty of unfair labor practices and ordered it to cease and desist from them and to take certain affirmative action which the Board found would effectuate the policies of the National Labor Relations Act. Republic thereupon petitioned this court to review and set aside the order as contrary to law.

Republic is a large manufacturer of steel, having plants at Youngstown, Canton, Massillon, Warren and Cleveland, Ohio, among other places. In June, 1936, S. W. O. C. began a campaign to organize Republic's employees. Three years before, in June, 1933, Republic had introduced into each of its plants a plan of employee representation. These plans, company imposed and dominated ones, were doubtless a concession to the mandate of Sec. 7 (a) of the National Industrial Recovery Act of 1933 "That employees shall have the right to organize and bargain collectively through representatives of their own choosing, . . ." At least the record of Republic would indicate that this modest concession to the right of collective bargaining was not wholly voluntary.

Almost immediately after S. W. O. C. commenced its organization campaign Republic in its turn began a counter campaign to crush the union. It announced to all its employees at once that "Republic stands for the 'Open Shop' principle," that "No employee has to join any organization to get or hold a job," and that "Every Republic employee owes a duty of loyalty to the Company so that its best interests may be served. Conduct detrimental to the interests of the Company and which may disrupt the satisfactory relations between employees and management will not be tolerated." The union was denounced and vilified. From the beginning the organizers of the union were followed and spied upon by Republic's company police. The latter also maintained surveillance over union meet

ings, thus discouraging employee attendance. Employees were threatened with discharge if they accepted union literature outside the plant gates. Union organizers were attacked and brutally beaten.

When in March, 1937 the employee representatives under the representation plans then in effect in Republic's plants proposed to amend them so as to eliminate company domination and provide for real collective bargaining Republic refused its consent. On the other hand it caused many of the employee representatives to spread anti-union propaganda and to campaign actively against the union in its plants. On March 17, 1937 the United States Steel Corporation and its subsidiaries signed a union contract with S. W. O. C. as the representative of its members who were employees of those companies. The next day Republic called a meeting of the central council of its employee representatives at which a motion was unanimously adopted that all the representatives back the management in opposition to all outside labor organizations.

Employees were coerced by foremen and representatives to sign petitions supporting the representation plans and opposing S. W. O. C. Meetings of employees were held by the management at which the virtues of the representation plans were praised; employees were threatened with discharge if they joined the "outside" union, and anti-union literature was distributed. At least 18 employees, Cikah, Arias, Popik, Pirichy, Troyanovich, Naletrich, Korecky, Exall, Petak, Babich, Neuman, Ugranovich, Armeli, White, Fagan, Wright, Shaban and Mouyios, were discharged because of their activity in behalf of the S. W. O. C.

On March 30, 1937 Golden, regional director of S. W. O. C., requested a conference with Girdler, chairman of the board of Republic, and submitted a proposed union contract containing provisions respecting wages, hours, vacations, seniority and methods of handling grievances

substantially equivalent to those then in force in Republic's mills. It also contained the folowing provisions:

> "SECTION 2. *Recognition.*—The Corporation recognizes the Union as the collective bargaining agency for those employees of the Corporation who are members of the Union. The Corporation recognizes and will not interfere with the right of its employees to become members of the Union. There shall be no discrimination, interference, restraint or coercion by the Corporation or any of its agents against any members because of membership in the Union. . . .
>
> SECTION 8. *Management.*—The management of the works and the direction of the working forces, including the right to hire, suspend or discharge for proper cause, or transfer, and the right to relieve employees from duty because of lack of work, or for other legitimate reasons, is vested exclusively in the Corporation: Provided, that this will not be used for purposes of discrimination against any member of the Union.
>
> SECTION 9. *Discharge cases.*—In the event a member of the Union shall be discharged from his employment from and after the date hereof, and he believes he has been unjustly dealt with, such discharge shall constitute a case arising under the method of adjusting grievances herein provided. In the event it should be decided under the rules of this Agreement that an injustice has been dealt the employee with regard to the discharge, the Corporation shall reinstate such employee and pay full compensation at the employee's regular rate for the time lost. All such cases of discharge shall be taken up and disposed of within five (5) days from the date of discharge."

No reply to the request for a conference was made until May 5th, when Republic's director of industrial rela-

tions wired "In view of Wagner Act see no necessity for signed contract" and suggested May 11th for a conference. A conference was held on that day without result whereupon Republic issued a statement to its employees that it adhered to its policy not to sign a contract with the C. I. O. At about the same time Republic shut down its Canton tin plate mill, a stronghold of the union, and nearly all the mills of its Massillon works, and locked out all but the maintenance employees. These lockouts, coming after a long period of continual drastic anti-union measures, placed the union in a position where it could not hope to preserve itself without immediate resort to action. Accordingly on May 25th and 26th the union employees of Republic's Canton, Massillon, Youngstown, Warren and Cleveland plants went on strike.

The strike resulted in the closing of all of these plants and they remained closed for more than a month. Upon their reopening toward the end of June a great many of Republic's employees were refused reinstatement because of their union membership. Among these were Green, Hite, Lazer, Krill, Chismus, Haren, Neverdusky and DeLong. From the time the strike began Republic undertook to secure and did secure the aid of local police officials to break picket lines, enlisted workers in back-to-work movements and in other ways endeavored to defeat the strike by reopening its plants without any concessions to the union. By threats to remove its plants Republic succeeded in causing municipal authorities and business men to turn against the union. Violence and hysteria were incited deliberately by Republic in order to terrorize union members. Tear gas and fire arms were donated to the police department of Massillon.

This course of conduct had its tragic result on the evening of July 11th in Massillon. The city police had been augmented by a number of specially deputized Republic foremen and other employees. On this evening the chief of police was absent. In his absence command of the police

was taken by one Curley who had come to the force with the hearty recommendation of Republic's district manager. Under Curley's leadership the augmented force made an unprovoked attack on an unarmed crowd of strikers at their headquarters, killing three of them and wounding many others. During the shooting, which continued for half an hour, none of the policemen received any sort of injury. Immediately after it was over one of the special policemen who was a Republic foreman led a group of his fellows in a round-up in which all persons in the neighborhood of union headquarters were arrested without warrants. These policemen in the early hours of the morning broke into rooming houses occupied by union members, dragged men from their beds and hauled them to jail where they were kept for several days.

Meanwhile on April 21, 1937 the Supreme Court had upheld the constitutionality of the National Labor Relations Act. Republic immediately took steps to eliminate some of the obviously objectionable features of its employee representation plans. In some plants these were replaced by new organizations but in each case they were dominated by Republic. After the strike a third group of organizations appeared in the Massillon, Canton and Youngstown plants. In form they were independent but in fact they were formed and officered in whole or in part by those who had been officers and representatives in the prior plans and who were known to be under Republic domination. They were accorded the use of Republic's time and property for organization purposes, including the solicitation of memberships and the collection of dues. Republic through its superintendents and foremen assisted in persuading employees to join them. Each of the three organizations was in fact but a continuation of its predecessor and was under the domination of Republic.

The foregoing brief recital is an epitome of the findings of fact made by the Board in an elaborate opinion. 9 N. L. R. B. 219. To further detail them would serve

no useful purpose. Republic strongly urges that they are not supported by substantial evidence and must, therefore, be set aside. It points out evidence which is inconsistent with the findings. A great mass of testimony was taken in the case, much of it directly conflicting. The duty of reconciling this evidence was placed by the Act upon the Board, however, and not upon this court. Our sole duty is to determine whether there is in the record substantial evidence to support the Board's findings. Examining the record we find ample evidence to support these findings and they must, therefore, be sustained. Washington Coach Co. v. Labor Bd., 301 U. S. 142; Labor Board v. Fansteel Corp., 306 U. S. 240. They in turn fully support the conclusion of the Board that Republic had engaged in unfair labor practices within the meaning of Sec. 8, subsections (1), (2) and (3), of the Act (29 U. S. C. § 158), (1) by interfering with, restraining and coercing its employees in the exercise of the rights guaranteed in Sec. 7 [1] of the Act, (2) by dominating and interfering with the formation and administration of the employee representation plans and associations of its employees which succeeded them and by contributing financial and other support thereto, and (3) by discriminating in regard to the hire and tenure of employment of the 26 employees above mentioned.

Upon these findings and conclusions the Board ordered Republic to cease and desist from (a) dominating or interfering with the formation or administration of any labor organization of its employees or contributing financial or other support thereto; (b) discouraging membership in S. W. O. C. or any other labor organization of its employees, by discharging and refusing to reinstate employees, or

[1] Sec. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

otherwise discriminating in regard to hire or tenure of employment or any term or condition of employment or by threats of such discrimination; or (c) in any other manner interfering with, restraining or coercing its employees in the exercise of the rights guaranteed in Section 7 of the Act. It is clear that under the Board's findings and conclusions this order was proper.

It remains for us to consider the validity of that part of the Board's order which required affirmative action to be taken by Republic. In this connection it is to be remembered that Sec. 10 (c) of the Act (29 U. S. C. § 160 (c)) authorizes the Board, if it finds that an employer has engaged in an unfair labor practice, to require him to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of the Act. Sec. 1 of the Act (29 U. S. C. § 151) declares that it is the policy of the United States "to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

The directions for affirmative action are contained in section 2 of the Board's order. The section is subdivided into paragraphs which will be considered consecutively. Paragraph (a) directs Republic to withdraw recognition from and disestablish the labor organizations of its employees which the Board found it had dominated, interfered with or supported in violation of Sec. 8 (2) of the Act. Paragraph (h) directs the posting of notices that this has been done. As we have already indicated, the evidence supports the Board's finding that these organizations were dominated, interfered with or supported by Re-

public. The original employee representation plans were imposed by Republic upon its employees and as originally drawn they were incapable of serving as collective bargaining agencies representing the employees. The changes in form made after the decision of the Jones and Laughlin case and after the strike did not change their nature. They continued in charge of employees who had been active in the original organizations and who were known to be under Republic's domination. The organizations continued to enjoy the sunshine of Republic's favor in many ways. Employees were made to feel that membership in them was advisable in order to hold their jobs. They were undoubtedly what have come to be known as "company unions." It is clear that so long as these organizations exist Republic's employees will be unable to exercise and enjoy that free choice of bargaining agents which the Act intends that they should have. The Board's order of disestablishment was, therefore, proper. Labor Board v. Greyhound Lines, 303 U. S. 261; Labor Board v. Pacific Lines, 303 U. S. 272; Labor Board v. Fansteel Corp., supra; National Labor Relations Board v. Stackpole Carbon Co., 105 F. 2d 167; Titan Metal Mfg. Co. v. National Labor Relations Board, 106 F. 2d 254.

Since the order ran only against Republic the so-called company unions, some of which were permitted to intervene in this court, were not entitled to notice and hearing before the Board. Labor Board v. Greyhound Lines, supra. Their application to this court for leave to adduce additional evidence must be denied. National Labor Relations Board v. Stackpole Carbon Co., supra.

Paragraphs (b) and (c) of Section 2 of the Board's order require Republic to reinstate with back pay 14 employees, 6 who were discharged for union activities, and 8 who were refused reinstatement after the strike because of union membership. In the cases of 12 other employees who were similarly discharged and subsequently reinstated or offered reinstatement, Republic is required to make them whole for pay lost for the period before the strike. Para-

graphs (d) and (e) direct Republic to make whole those employees of its Canton and Massillon mills who were locked out in May, 1937, for the pay lost during the period of the lockouts. The Board's findings of discrimination as to these employees are sustained by the evidence, as we have already pointed out. It follows that the order is justified under Sec. 10 (c) of the Act in order to effectuate its policies. Labor Board v. Jones & Laughlin, 301 U. S. 1; Labor Board v. Mackay Co., 304 U. S. 333.

One phase of this part of the order requires special mention. The order provides that any sums which these employees may have received in the interim for work performed upon federal, state, county, municipal or other work relief projects shall be deducted from the amounts ordered to be paid to them by Republic and shall be paid over to the appropriate governmental agencies which supplied the funds for the work relief projects. Republic urges that this provision is beyond the Board's jurisdiction. We think, however, that it is within the discretionary power of the Board and that it is not unreasonable. A similar order was enforced in National Labor Relations Board v. Planters Mfg. Co., 105 F. 2d 750.

There remain for our consideration paragraphs (f) and (g) of Section 2 of the Board's order. These paragraphs require Republic to offer to employees who went on strike, reinstatement in their former or equivalent positions or, if positions cannot be provided for them by dismissing new employees taken on since the strike, then to place them upon a preferential list for employment when available, and if they are not thus reinstated or placed on the preferential list to reimburse them for wages lost for the period beginning 5 days after their application. These provisions raise the major controversy in the case. This controversy is as to the cause of the strike. Republic vehemently contends that the strike was caused solely by its refusal to sign the contract submitted by S. W. O. C. This refusal the Board concedes was not an unfair labor practice. Conse-

quently if Republic is right as to this the Board had no power to order the reinstatement of the strikers.

The Board, however, found "that the underlying cause of the strike, and a substantial factor in its precipitation on May 25th and 26th, was" Republic's "campaign to crush the union by means of the unfair labor practices" in which the Board found Republic had engaged prior to the strike, and which we have already described. We think that this finding is supported by the evidence and must be sustained. It is true that the strike was precipitated by Republic's refusal to sign the union contract and thus to recognize the union as the bargaining agent for its members. It is equally clear, however, that the signing of the contract was sought by the union not to raise wages or improve working conditions, for it purported to do neither, but solely to put an end to the warfare between the union and Republic which had resulted from the latter's unfair labor practices. What was sought, as the clauses of the contract hereinabove quoted demonstrate, was a formal declaration and agreement by Republic that it would not continue those practices but would recognize and not interfere with the right of its employees to become members of the union.

It is thus seen that the proposal to sign the contract was but a phase of the union's struggle against Republic's unfair labor practices and that the latter's refusal to sign was but one more indication that it proposed to continue those practices. The union contract in such a case as this becomes merely the symbol of the employer's acceptance of the union. If the contract is refused, we cannot say that the refusal is the cause of the ensuing strike, even though doubtless its acceptance would have averted it. The causes of the strike remain the unfair labor practices which the employer by his refusal of the proffered covenant of peace indicates that he will continue. As the Congress in Sec. 1 of the Act (29 U. S. C. § 151) significantly said: "The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective

bargaining lead to strikes and other forms of industrial strife or unrest . . . ''

Republic further contends that the order for the reinstatement of the strikers was invalid because the complaint did not tender the issue of the reinstatement of the strikers. The complaint did, however, enumerate certain unfair labor practices and allege that because of these practices and of the refusal to sign the contract the strike took place. Section 10 (c) of the Act specifically authorizes the Board to direct reinstatement of employees if unfair labor practices are found. Republic was, therefore, sufficiently informed that such action might be required by the Board.

It is argued that none of the strikers should be reinstated since they were all members of a combination and conspiracy and as such responsible for the acts of violence committed by some of their fellows. This argument, however, fails to take into account the provisions of Sec. 6 of the Norris-La Guardia Act (29 U. S. C. § 106) which prohibit courts of the United States from holding members of a union participating in a labor dispute responsible ''for the unlawful acts of individual officers, members or agents, except upon clear proof of actual participation in, or actual authorization of, such acts, or of ratification of such acts after actual knowledge thereof.'' The act applies to this proceeding for the enforcement of the Board's order. No proof of actual participation, authorization or ratification was offered with respect to the strikers generally. Equally untenable is the contention that the strikers are not entitled to reinstatement because they have not come into court with clean hands. This principle is not applicable to a proceeding in which a governmental agency is seeking enforcement of its order in the public interest. National Labor Relations Board v. Remington Rand, Inc., 94 F. 2d 862, cert. den. 304 U. S. 576; National Labor Relations Board v. Carlisle Lumber Co., 99 F. 2d 533.

Finally Republic contends that the Board had no power to require the reinstatement of the individual strikers who had been guilty of criminal conduct in connection with the

strike and it sought from the Board and from this court leave to present evidence on this subject. While leave was refused by the Board it treated Republic's offers of proof as evidence in deciding the case and we have done the same. Republic's petition for leave to adduce additional evidence will accordingly be denied.

In Labor Board v. Fansteel Corp., supra, the Supreme Court had before it a case involving the reinstatement of strikers who had been guilty of unlawfully seizing and holding their employer's buildings in a "sit-down" strike. The court held that their reinstatement would not effectuate the policies of the Act and that it was, therefore, beyond the power of the Board to order it. In that case Chief Justice Hughes said (p. 253) "The employees had the right to strike but they had no license to commit acts of violence or to seize their employer's plant. We may put on one side the contested questions as to the circumstances and extent of injury to the plant and its contents in the efforts of the men to resist eviction. The seizure and holding of the buildings was itself a wrong apart from any acts of sabotage. But in its legal aspect the ousting of the owner from lawful possession is not essentially different from an assault upon the officers of an employing company, or the seizure and conversion of its goods, or the despoiling of its property or other unlawful acts in order to force compliance with demands. To justify such conduct because of the existence of a labor dispute or of an unfair labor practice would be to put a premium on resort to force instead of legal remedies and to subvert the principles of law and order which lie at the foundations of society."

In the Fansteel case the court was dealing with a case which involved a sit-down strike in which the strikers forcibly and unlawfully deprived their employer of possession of his plant. The court made it clear that unlawful conduct of that character deprived the participant of the right of reinstatement. We think it must be conceded, however, that some disorder is unfortunately quite usual in any extensive or long drawn out strike. A strike is essen-

tially a battle waged with economic weapons. Engaged in it are human beings whose feelings are stirred to the depths. Rising passions call forth hot words. Hot words lead to blows on the picket line. The transformation from economic to physical combat by those engaged in the contest is difficult to prevent even when cool heads direct the fight. Violence of this nature, however much it is to be regretted, must have been in the contemplation of the Congress when it provided in Sec. 13 of the Act that nothing therein should be construed so as to interfere with or impede or diminish in any way the right to strike. If this were not so the rights afforded to employees by the Act would be indeed illusory. We accordingly recently held that it was not intended by the Act that minor disorders of this nature should deprive a striker of the possibility of reinstatement. National Labor Relations Board v. Stackpole Carbon Co., supra.

In the present case there was evidence of violence and disorder on the part of many strikers. Numbers of them were convicted of crimes in the state courts. The Board accordingly undertook to determine which of these were sufficiently serious to bar reinstatement. This it did without the benefit of the Fansteel opinion, which was not handed down until four months later. In making its determination the Board confined itself to evidence of convictions and properly refused to try accusations of violence which had not resulted in convictions in the criminal courts. It decided that all strikers who had been convicted of possession and use of explosives, malicious destruction of property to the value of $300, and possession of a bomb, all felonies, should be denied reinstatement, but that all others who had been convicted of less serious offenses should be reinstated. Among these others were 9 convicted of unlawfully obstructing and retarding the passage of the United States mail, 3 of discharging firearms, 7 of malicious destruction of property to the value of less than $300, 1 of unlawfully interfering with telegraph or tele-

phone messages, 1 of transporting explosives, 5 of interfering with and obstructing railway tracks, 13 of carrying concealed weapons, and 1 of assault and battery sufficiently serious to call for the imposition of a fine of $200 and costs and a suspended sentence of 6 months.

Whether all of these defendants were striking Republic employees does not clearly appear from the record although it seems that they were all affiliated with S. W. O. C. We think, however, that their offenses were sufficiently serious to render the reinstatement of those of them who were Republic employees inappropriate and improper under the rule laid down in the Fansteel case. Paragraph (f) of Section 2 of the order of the Board is accordingly modified to this extent. As to the remaining offenses proved to have been committed we are satisfied from their character and from the small penalties imposed that they were all sufficiently minor to come within our decision in the Stackpole case and the order of the Board directing the reinstatement of the persons involved in them will be enforced.

Republic raises certain objections to the form of the order. Its principal complaint is to a provision that employees directed to be reinstated for whom no positions are presently available shall be placed on a single preferential hiring list for all of Republic's plants in Ohio, in Monroe, Michigan, and in Pittsburgh and Beaver Falls, Pennsylvania. The objection is as to the provision directing possible reinstatement at a plant other than that at which the employee formerly worked. The Board has power to make such an order, however. National Labor Relations Board v. Remington Rand, Inc., supra. We do not think that its use in this case was an abuse of the discretion vested in the Board. We have also carefully considered Republic's other objections to the form of the order. Finding them without merit we will not discuss them further.

Finally Republic contends that it was not accorded procedural due process by the Board. We think that this point also is wholly without merit. After lengthy hearings

the Board issued its findings and order on April 8, 1938. On June 14, 1939, after proceedings in this court and in the Supreme Court, 304 U. S. 486, the Board set aside its findings and order. On July 8, 1938, it issued a draft of proposed findings and order. Thereafter both Republic and S. W. O. C. filed exceptions to the proposed findings and order and also filed briefs in support of their exceptions. Oral argument upon the exceptions was had before the Board on August 11, 1938, participated in by counsel for Republic and S. W. O. C. On October 18, 1938, the Board issued the findings and order now before us for review. It is obvious from this recital that Republic was not denied due process. See Labor Board v. Mackay Co., supra; Edison Co. v. Labor Board, 305 U. S. 197.

Paragraph (f) of Section 2 of the order of the Board is modified as hereinabove indicated. In all other respects the order is affirmed. A decree enforcing it will be entered.

A true Copy:
Teste:

Clerk of the United States Circuit Court of Appeals for the Third Circuit.

ORDER DENYING PETITION OF CENTRAL COUNCIL, ETC., NORTHERN DISTRICT, ETC., FOR LEAVE TO ADDUCE ADDITIONAL EVIDENCE.

(Filed November 8, 1939.)

And now, November 8, 1939, the petition of Central Council of Steel Plants, Northern District of Republic Steel Corporation, filed December 12, 1938, for leave to adduce additional evidence in the above-entitled cause, is hereby denied.

ALBERT B. MARIS,
Circuit Judge.

(Endorsements: Order Denying Petition of Central Council, etc., Northern District, etc., for Leave to Adduce Additional Evidence. Received & Filed Nov. 8, 1939 Wm. P. Rowland, Clerk.)

ORDER DENYING PETITION OF REPUBLIC STEEL CORPORATION FOR LEAVE TO ADDUCE ADDITIONAL EVIDENCE.

(Filed November 8, 1939.)

And now, November 8, 1939, the petition of Republic Steel Corporation, filed December 8, 1938, for leave to adduce additional evidence in the above-entitled cause, is hereby denied.

ALBERT B. MARIS,
Circuit Judge.

(Endorsements: Order Denying Petition of Republic Steel Corp. for Leave to Adduce Additional Evidence. Received & filed Nov. 8, 1939 Wm. P. Rowland, Clerk.)

DECREE.

(Filed January 2, 1940.)

This matter coming on upon motion of the National Labor Relations Board, respondent, for the entry of a decree in conformity with the opinion of this Court rendered herein on November 8, 1939,

IT IS ORDERED, ADJUDGED AND DECREED by this Court that the petitioner, Republic Steel Corporation, its officers, agents, successors, and assigns shall:

1. Cease and desist from:

(a) Dominating or interfering wtih the formation or administration of any labor organization of its employees or contributing financial or other support thereto;

(b) Discouraging membership in the Amalgamated Association of Iron, Steel and Tin Workers of North America or the Steel Workers Organizing Committee or any other labor organization of its employees, by discharging and refusing to reinstate employees, or otherwise discriminating in regard to hire or tenure of employment or any term or condition of employment or by threats of such discrimination;

(c) In any other manner interfering with, restraining, or coercing its employees in the exercise of their rights to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection as guaranteed in Section 7 of the act.

2. Take the following affirmative action which the National Labor Relations Board finds will effectuate the policies of the National Labor Relations Act;

(a) Withdraw all recognition from the Plan of Employee Representation, and its successors—the Employees'

Representative Association and the Independent Association of Republic Employees at Massillon; the Plan of Employee Representation, and its successors—the Employees' Representative Association, and the Steel Workers Union of America—and the Plan of Representation of Employees at Canton; the Plan of Employee Representation, and its successors—the Employee Representation Plan, and the Independent Federation of Republic Employees at Youngstown; the Plan of Employee Representation, and its successor—the Employees' Independent Association at Warren; the Plan of Employee Representation, and its successor—the Employees' Representative Association at Cleveland; the Central Council of Employee Representatives; and each of them, as the representatives of any of its employees at its plants in the Massillon, Canton, Youngstown, Warren, Niles, and Cleveland districts, respectively, for the purpose of dealing with the petitioner concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work; and completely disestablish the foregoing labor organizations as such representatives;

(b) Offer to Peter Mouyios, Victor Arias, Mike Ugranovich, Will S. Wright, Sabri Shaban, and George Troyanovich (group A); John Lazar, Michael Krill, Balare Chismus, William A. Haren, Charles Neverdusky, Anthony Martin de Long, Richard Green, and Hallie P. Hite (group B), in the manner provided in the section in the Board's decision entitled "The remedy," immediate and full reinstatement to their former or substantially equivalent positions without prejudice to their seniority and other rights and privileges; and make them whole for any losses of pay they have suffered by reason of the petitioner's discriminatory acts, by payment to each of them, respectively, of a sum of money equal to that which each of them would normally have earned as wages during the period, in the case of group A, from the date of their lay-off or discharge until the date when the strike began, and again

from the date on which operations in their departments began after the reopening of the plants involved to the date of the offer of reinstatement as provided herein, and in the case of group B, from the date of the refusal to reinstate nntil the date of the offer of reinstatement as provided herein; less the amounts, if any, which each earned during said period, deducting, however, from the amount otherwise due to each of the said employees, monies received by said employees during said periods for work performed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, municipal, or other government or governments which supplied the funds for said work relief projects;

(c) Make whole Thomas Cikah, John Popik, Frank Pirichy, Michael Naletrich, Wilbert Neuman (group C); Thomas White, Charles Bernard Fagan, John Exall, John Petak, Mathew Babich, Gaetano Armeli, and Fred Korecky (group D) for any losses of pay they have suffered by reason of the petitioner's discriminatory acts, by payment to each of them, respectively, of a sum of money equal to that which each of them would normally have earned as wages during the period, in the case of group C, from the date of their discharge to the date of their offer of reinstatement prior to the strike, and in the case of group D, from the date of their lay-off or discharge until the date of the strike; less the amounts, if any, which each earned during said period, deducting, however, from the amount otherwise due to each of the said employees, monies received by said employees during said periods for work performed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, municipal, or other government or governments which supplied the funds for said work relief projects;

(d) Make whole the employees of the Canton tin plate mill who were employed on May 4, 1937, for any loss of pay

they have suffered by reason of the closing of the Canton tin plate mill on May 5, 1937, by payment to each of them, respectively, of a sum equal to that which each of them would normally have earned as wages during the period from May 5 to May 24, 1937, less the amount, if any, which each has earned during said period;

(e) Make whole the employees of the Massillon Works, who were employed on May 19, 1937, for any loss of pay they have suffered by reason of the closing of the Massillon Works on May 20, 1937, by payment to each of them, respectively, of a sum which each of them would normally have earned as wages during the period from May 20 to May 23, 1937, less the amount, if any, which each has earned during said period;

(f) Offer to those employees at its plants in the Canton, Massillon, Youngstown, Warren, Niles, and Cleveland district, (including those referred to as groups C and D in paragraph 2 (c) above) who went on strike on May 25, 1937, and thereafter, and who since the order of the National Labor Relations Board dated October 18, 1938, made, or who hereafter shall make, application (except Charles Byers, Sidney Watkins, A. C. Scott, John Borawiec, George A. Bundas, Andrew J. Marsh, Mike Spelich, Herman Herzog, Jesse Rentario (Runtario), Pete Vasleo, Omer Williams, Joe Morton, Leo Cox, Mike Walker, Sam Caputo, Will Williams, Theodore Pietowski, alias Tub, alias Friday, Kenneth H. Steed, alias Harry K. Steed, E. J. Parpontsi, Otis Cesar, Erardo Garcia, Nick Woodrich, Lewis Simonelli, John Bell, Sam Parnelli, alias Priorrello, Harold Rink, Paul Woodward, Ivan Bartalic, Steve Miku, John Zgurich, and Chester Dewitt), immediate and full reinstatement to their former or substantially equivalent positions without prejudice to their seniority or other rights or privileges, in the manner provided in the section in the Board's decision entitled "The remedy"; and place those employees for whom employment is not immediately available upon a

preferential list in the manner set forth in said section, and thereafter, in said manner, offer them employment as it becomes available;

(g) Make whole all the employees referred to in paragraph 2 (f) above for any losses they may have suffered or may suffer by reason of any refusal of reinstatement or placement upon the preferential list, required by paragraph 2 (f) of the order of the National Labor Relations Board dated October 18, 1938, and for any losses they may suffer by reason of any refusal of reinstatement or placement upon the preferential list, required by paragraph 2 (f) above, by payment to each of them of a sum of money equal to that which each of them would normally have earned as wages during the period from five (5) days after the date of any application for reinstatement made subsequent to the order of the National Labor Relations Board dated October 18, 1938, to the date of offer of reinstatement or placement upon the preferential list, less the amount, if any, which each, respectively, earned during said period, deducting, however, from the amounts otherwise due to each of the said employees, monies received by said employees during said period for work performed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, or municipal or other government or governments which supplied the funds for said work relief projects;

(h) Post immediately in conspicuous places in its plants in the Canton, Massillon, Youngstown, Warren, Niles, and Cleveland districts and maintain for a period of at least sixty (60) consecutive days, notices to its employees stating that the petitioner will cease and desist in the manner aforesaid and that recognition is withdrawn from the labor organizations named in paragraph 2 (a) above as representatives of any of the employees for the purpose of dealing with the petitioner concerning grievances, labor disputes, wages, rates of pay, hours of employment or con-

ditions of work, and that the foregoing labor organizations are completely disestablished as such representatives;

(i) Notify the National Labor Relations Board in writing what steps the petitioner has taken to comply herewith.

Entered this second day of January, 1940.

JOHN BIGGS, JR.,
Circuit Judge.
ALBERT B. MARIS,
Circuit Judge.
WILLIAM CLARK,
Circuit Judge.

(Endorsements—Decree Received & Filed Jan. 2, 1940 Wm. P. Rowland, Clerk.)

CLERK'S CERTIFICATE.

UNITED STATES OF AMERICA,
EASTERN DISTRICT OF PENNSYLVANIA, } *Sct.:*
THIRD JUDICIAL CIRCUIT,

I, W. P. ROWLAND, clerk of the United States Circuit Court of Appeals for the Third Circuit, DO HEREBY CERTIFY the foregoing to be a true and faithful copy of the original transcript of record (Volume VIII) and proceedings in this court in the case of Republic Steel Corporation, et al., Petitioners, v. National Labor Relations Board, et al., Respondents, No. 6907, on file, now remaining among the records of the said court, in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the said court, at Philadelphia, this nineteenth day (Seal) of January, in the year of our Lord one thousand nine hundred and forty, and of the Independence of the United States the one hundred and sixty-fourth.

WM. P. ROWLAND,
Clerk of the U. S. Circuit Court of Appeals, Third Circuit.

SUPREME COURT OF THE UNITED STATES

ORDER ALOWING CERTIORARI—May 20, 1940

On Petition for Writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit

A motion for leave to file a petition for rehearing and petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the motion for leave to file and petition for rehearing be, and the same are hereby, granted.

And it is further ordered that the order denying certiorari, dated April 8, 1940, be, and the same is hereby, vacated; and that the petition for writ of certiorari herein be, and the same is hereby, granted, limited to the fourth question therein presented, which relates to the work relief provisions of the decree below: provided that this order shall not operate to suspend the remaining provisions of the decree.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.